

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1809 of 2021**

- Smt. Kusum Shukla W/o Shri Tulsidas Shukla Aged About 45 Years R/o Lane No 14, Khajuri Khas North East Delhi Police Station Khajuri Khas New Delhi India.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Keshkal District Kondagaon Chhattisgarh., District : Kondagaon, Chhattisgarh

---- Respondent

For Applicant	: Shri Ashuthosh Shukla and Shri Ashok Kumar Shukla, Advocates
For Respondent/State	: Shri Ajay Kumrani, PL

Hon'ble Shri Justice Parth Prateem Sahu
Order on Board

25.03.2021

1. Applicant has preferred this application under Section 439 CrPC for grant of regular bail as she has been arrested in connection with Crime No.115 of 2020 registered at Police Station Keshkal, District-Kondagaon CG for the offence punishable under Section 20(B) of the NDPS Act.
2. Case of the prosecution, in brief, is that on the basis of secret information that some persons are travelling in a Car bearing No.DL 7 CF-4088 carrying Ganja with them, Police of Police Station Keshkal intercepted the vehicle in front of Police Station Keshkal and during the search, they recovered 12 kg Ganja, kept in the Car. Based on the seizure of aforementioned Ganja, present applicant along with three others, namely, Thaneshwar Vishwakarma, Avtar Singh and Vishwajeet Vishwas were arrested for the above crime.
3. Learned counsel for the applicant submits that present applicant is a lady, falsely implicated in the case. When she was returning to Raipur for catching a train for Delhi, she took lift in the said Car. She was not aware of the material which was kept in the Car.
4. Shri Ajay Kumrani, learned Panel Lawyer for the State opposing the submission made by learned counsel for the applicant submits that applicant is

resident of Delhi and the Car seized by the Police in which Ganja was being transported is having its registration number of Delhi. Hence, the submission made by learned counsel for the applicant is not correct. He further submits that if the applicant is enlarged on bail, there may be chances of her absconding.

5. I have heard learned counsel for the parties.

6. Taking into consideration facts and circumstances of the case and quantity of Ganja recovered from the Car, where four persons were travelling, including present applicant, who is a lady, she is in jail since 27.11.2020, and the fact that there is no criminal antecedents against her, I am inclined to enlarge the applicant on bail.

7. Accordingly, the bail application is allowed. It is directed that the applicant shall be released on regular bail upon furnishing a bail bond in the sum of Rs.25,000/- (Rupees twenty-five thousand) with one local surety in the like sum to the satisfaction of the Court below concerned on the condition that:

- a) Applicant shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
- b) Applicant shall not in any manner, tamper with the prosecution witnesses.
- c) If the applicant is found involved in similar offence in future, it will be open for the State to apply for cancellation of bail.

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
JUDGE