

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3849 of 2021**

Smt. Soni Singh W/o Chhote Lal @ Anil Singh Aged About 35 Years R/o Jawa, Police Station Jawa, Tahsil Sikandarpur, District- Aligarh, Uttar Pradesh.

---- Applicant**Versus**

State Of Chhattisgarh Thorough Station House Officer, Police Station Civil Lines, Raipur, District- Raipur, Chhattisgarh.

---- Respondent

For the Applicant : Shri T.K. Jha, Advocate.
For the Respondent/State : Ms. Akshara Amit, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****08.07.2021**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.163 of 2021, registered at Police Station – Civil Lines, Raipur, District – Raipur, Chhattisgarh for the offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Learned counsel for the applicant submits that she is in jail since 25.3.2021 and has been falsely implicated in this case. After completion of investigation, the charge-sheet has been filed. The applicant was standing in the bus-stand making enquiry for the bus and at that time, the contraband was being seized from the co-accused person and she was falsely

implicated in this case. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the applicant is a resident of U.P. and if she is released on bail she may not be available for the trial. Hence, the applicant is not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, 15.3 kg of ganja (narcotic substance) was seized from the possession of this applicant when she was standing in the bus-stand, Raipur. Hence, this case.

6. Considered on the submissions. The applicant is a woman. Although, she is a resident of U.P., her availability for trial can be assured by imposing some suitable conditions, therefore, I feel inclined to grant regular bail to the applicant.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- with one local surety in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed. In case any default is committed by the applicant/s in

appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi