

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8818 of 2020**

- Smt. Bhuneshwari Dhivar, S/o Sanjay Dhivar, Aged About 35 Years, R/o Near Water Tank, Purani Basti, Surya Nagar Gogaon, Police Station- Gudhiyari, District Raipur Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through: Station House Officer, Police Station Gudhiyari, District Raipur Chhattisgarh.

---- Respondent

For Applicant	: Mr. D. Kushwaha, Adv.
For Respondent/State	: Ms. Ishwari Ghrilahre, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****05.04.2021**

1. Heard.
2. The accused/applicant has moved this **first bail application** under Section 439 of Criminal Procedure Code for releasing her on regular bail during trial in connection with Crime No. 223/2020 registered at Police Station- Gudhiyari, District Raipur (C.G.) for the offence punishable under Sections 20 (B) of the N.D.P.S. Act.
3. The prosecution story, in brief is that, on the basis of information, police seized 1.800 KG contraband Ganja from the possession of applicant. Thereafter, offence has been registered against the present applicant.
4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that applicant is in jail since 24.11.2020, there is no likelihood of her case being decided in near future, therefore, the present applicant may be released on bail.
5. On the other hand, counsel for the State opposes the bail

application submitting that there are four antecedents registered against the applicant, therefore, no case is made out to release her on bail.

6. I have heard learned counsel for the parties and perused the records.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the applicant is in jail since 24.11.2020 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
8. Accused/applicant is directed to be released on bail on her executing a personal bond in the sum of Rs. 1,00,000/-, with one local surety in the like sum to the satisfaction of the trial Court. She is directed to appear before the trial Court on each and every date given to her by the said Court.

**Sd/-
(Rajani Dubey)
Judge**

Ruchi