
(2020) 04 RAJ CK 0044

In the Rajasthan High Court

Case No : Criminal Miscellaneous Bail Application No. 2726 Of 2020

Nahari B

APPELLANT

Vs

State Of Rajasthan, Through Pp

RESPONDENT

Date of Decision : 22-04-2020

Acts Referred:

Narcotic Drugs and Psychotropic Substances Act, 1985 — Section 8, 20
Code Of Criminal Procedure, 1973 — Section 439

Citation : (2020) 04 RAJ CK 0044

Hon'ble Judges : Ashok Kumar Gaur, J

Bench : Single Bench

Advocate : Ravi Kumar Sharma, Laxman Meena, Tej Prakash Sharma

Final Decision : Allowed

Judgement

Heard learned counsel for the parties through video conferencing.

Learned counsel for the accused-petitioner submitted that the FIR, which has been registered does not assign any role to the present accused-petitioner.

Learned counsel submitted that the accused-petitioner is a lady and she is in custody since 5th February, 2020.

Learned counsel further submitted that the alleged quantity, which is said to be recovered from other co-accused Wahid Ali is also less than the commercial quantity.

Learned counsel submitted that the accused-petitioner does not have any criminal antecedents.

Learned Public Prosecutor and learned counsel Mr. Tej Prakash Sharma, appearing for the Department, have opposed the bail application.

Learned counsel Mr.Tej Prakash Sharma submitted that the alleged incident definitely connects the accused-petitioner, as finally the other two co-accused, were to deliver this product to the accused-petitioner.

Learned counsel further submitted that the accusedpetitioner has committed the offence punishable under Section 8/20 of NDPS Act.

Considering the contention raised by learned counsel for the accused-petitioner as well as taking into account the facts and circumstances of the case

and without expressing any opinion on the merits of the case, this court deems it just and proper to enlarge the accused-petitioner on bail.

Accordingly, the present bail application under Section 439 Cr.P.C. is allowed and it is ordered that the accused-petitioner Nahari B W/o Kishan Singh

shall be enlarged on bail provided she furnishes a personal bond in the sum of Rs.10,000/- with one surety of alike amount to the satisfaction of learned

trial Judge for her appearance before the court concerned on all the dates of hearing and as and when called upon to do so.