

(2023) 06 RAJ CK 0029

In the Rajasthan High Court

Case No : Criminal Miscellaneous Bail Application No. 6220 Of 2023

Raju Devi

APPELLANT

Vs

State Of Rajasthan

RESPONDENT

Date of Decision : 16-06-2023

Acts Referred:

Narcotic Drugs And Psychotropic Substances Act, 1985 — Section 8, 21
Code Of Criminal Procedure, 1973 — Section 439

Citation : (2023) 06 RAJ CK 0029

Hon'ble Judges : Madan Gopal Vyas, J

Bench : Single Bench

Advocate : Aakash Kukkar, M.A. Siddiqui, A.R. Malkani

Final Decision : Allowed

Judgement

Madan Gopal Vyas, J

1. The petitioner has been arrested in connection with FIR No.92/2023 of Police Station Jawahar Nagar, District Sriganganagar for the offences punishable under Section 8/21 of the NDPS Act. She has preferred this bail application under Section 439 Cr.P.C.

2. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. It is further submitted that recovered contraband is below commercial quantity. The accused-petitioner is in judicial custody since long and the trial of the case will take long time. Therefore, it is prayed that the accused-petitioner may be enlarged on bail.

3. Learned Public Prosecutor has vehemently opposed the bail application and submitted that accused-petitioner is a habitual offender.

4. Having regard to the totality of the facts and circumstances of the case, without expressing any opinion on the merits of the case, I deem it just and proper to grant bail to the accused petitioner under Section 439 Cr.P.C.

5. Accordingly, the bail application filed under Sec.439 Cr.P.C. is allowed and it is directed that petitioner Raju Devi W/o Shrikhan Kande shall be released on bail in connection with FIR No.92/2023 of Police Station Jawahar Nagar, District Sriganganagar provided she executes a personal bond in a sum of Rs.1,00,000/- with two sound and solvent sureties of Rs.50,000/- each to the satisfaction of learned trial Court for her appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial. The petitioner is further directed not to take undue advantage of liberty or misuse liberty.