

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: July14, 2015

First Bail Application No.376 of 2015
Order on the bail application of accused

Criminal Side

Colette Nicole Smith	Applicant
	Versus	
Narcotics Control Bureau	Respondent

Hon'ble Sudhanshu Dhulia, J. (Oral)

Heard Mr. A. Rab, Senior Advocate, assisted by Mr. Aman Rab, Advocate, for the applicant and Mr. Shobhit Saharia, Advocate, for the respondent.

The present applicant before this Court is in jail as a criminal proceeding has been initiated *inter alia* against the applicant on a complaint moved by the Narcotics Control Bureau/respondent. The offence faced are under Sections 9A/25A/29 of Narcotics Drugs and Psychotropic Substances Act, 1985 (from hereinafter referred to as "NDPS" Act).

The applicant is a woman who is a citizen of U.S.A and presently complaints of various ailments which have been stated in the affidavit which has been filed in the Court and it is a part of record.

She is primarily suffering from a Urinary disease for which she needs regular medical check up and health care which is not been provided to her in police custody, it is alleged.

Considering the fact that the applicant is a woman and allegedly in need of medical care, an interim bail is hereby given to the applicant. She shall be released on interim bail for a period of 30 days for medical treatment in Dehradun. 30 days shall count from the date of her release, on condition

that she shall furnish a personal bond not less than ₹50,000/- and two sureties of like amount to the satisfaction of the court concerned. Apart from this the police officer in-charge of the Police Station (concerning Defence Colony, Dehradun) shall further ensure that he gets daily report through a lady constable who shall visit the residence of the applicant (which is stated to be in Defence Colony, Dehradun) and report the daily whereabouts of the applicant, without interfering in her privacy. In case there is a change of address it shall be duly and promptly informed to the police by the applicant.

Further conditions imposed upon the applicant is that she shall surrender her passport, if she has not surrendered it already, before the prosecution agency and that meanwhile she shall not leave Dehradun district.

The applicant shall surrender before the Magistrate/court concerned on or before the expiry of thirty days from her release. It is made clear that thirty days shall count from the date of her release.

List this matter on 18.08.2015 in a daily cause list.

(Sudhanshu Dhulia, J.)

14.07.2015