

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6602 of 2015

- Shiv Kumari W/o Sunil Aged About 30 Years R/o Khurseepar Gate Fish Market, Bhilai, Distt. Durg, Civil & Rev. Distt. Durg, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through S.H.O., P.S. Khurseepar, Distt. Durg, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Avinash Chand Sahu, Advocate
For the Respondent	:	Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02.12.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 331 of 2015 registered at P.S. Khurseepar, Distt. Durg (C.G) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
2. The prosecution alleges that a raid was conducted by the Police when the applicant alongwith other co-accused was selling illicit liquor near a place known as Khurseepar and during such raid, 18 bulk litres of liquor was recovered from the possession of the applicant.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and no seizure was made from the present applicant. It is further stated that the charge sheet has already been filed and the applicant is in jail since 03.10.2015 therefore, the applicant may be

enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application and submits that in the year 2015 itself, a case u/s 34-A was registered for keeping illicit liquor of 2.880 bulk litres.
5. Considering the fact that the applicant is a lady and on earlier occasion, she was caught hold of only 2.880 bulk litres and taking into account that the charge sheet in this case has been filed and the co-accused has been enlarged on bail by the trial Court, I am inclined to release this applicant on bail. Accordingly, this application is allowed.
6. The applicant is directed to be released on bail on her executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court . She is directed to appear before the trial Court as and when directed by the said Court.
7. C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE