

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6679 of 2015

- Geeta Bai W/o Samaru Sahu Aged About 40 Years R/o City Station, Pandri, Police Station Civil Lines, Raipur, Civil and Revenue District- Raipur, Chhattisgarh --- **Petitioner**

Versus

- State Of Chhattisgarh Through Station House Officer, P.S. Civil Lines, Raipur, Distt. Raipur, Chhattisgarh---**Respondent**

For the applicant	:	Mr. Kishore Narain, Advocate
For the Respondent	:	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08.12.2015

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. 682/2015 registered at P.S. Civil Lines, Raipur (C.G) for the offence punishable under Section 34(2) of the C.G. Excise Act.
2. The prosecution alleges that when a raid/inspection was conducted by the Police, 5.940 bulk litres of illicit liquor was seized from the possession of the applicant.
3. Learned counsel for the applicant submits that the applicant is in jail since 07.11.2015 and the seizure having been made, no further investigation is necessary.
4. Per contra, learned State Counsel opposes the bail application. However, she submits that the concerned SHO has reported that earlier one case of similar nature was registered against her in the year 2014 for keeping 900ml liquor.
5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor in this case is

5.940 bulk litres; offence is triable by the JMFC and the applicant is in jail since 07.11.2015 and looking to the quantity seized liquor in earlier case, that this Court is inclined to release him 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 will appear before the trial Court as and when directed by the said Court.
7. C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE