

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6222 of 2015

- Smt. Rambha Yadav, W/o Late Raju Yadav, Aged About 48 Years, R/o Village : Dhangardipa, Police Station City Kotwali Raigarh, District Raigarh Chhattisgarh --- **Petitioner**

Versus

- State Of Chhattisgarh Through : Excise Sub Inspector Excise Circle, Raigarh, District : Raigarh Chhattisgarh

---- Respondent

For the applicant	:	Mr. Amit Singh, Advocate
For the Respondent	:	Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

23.11.2015

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. P.8 No. 293/15-16 D.P.C. registered at P.S. Excise Circle Raigarh, Distt. Raigarh Chhattisgarh for the offence punishable under Sections 34(1) (A), 34(2), 59(A)(1)(2) of the C.G. Excise Act.
2. The prosecution alleges that when a raid/inspection was conducted by the Police, 09 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 02.10.2015 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 the applicant has no criminal antecedents.
5. Taking into consideration the totality of the circumstances

and the fact that the quantity of seized liquor in this case is 09 bulk litres; offence is triable by the JMFC and the applicant is in jail since 02.10.2015 this Court is inclined to release her on bail. Accordingly, this application is allowed.

6. The applicant is directed to be released on bail on 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 said Court as and when directed by the said Court.
7. C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE

Rao