

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7160 of 2015

- Laxmin Bai W/o Shanker Aged About 30 Years Caste Sabariya, R/o Akalsara, Police Station Baradwar, Tahsil Jaijaipur, District Janjgir Champa Chhattisgarh.

---- Petitioner

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Baradwar, District Janjgir Champa Chhattisgarh.

---- Respondent

For the applicant	:	Mr. Gurudeo Sharan, Advocate
For the Respondent	:	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

21.12.2015

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. 334 of 2015 registered at P.S. Baradwar, Distt. Janjgir Champa (C.G) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act, 1915.
2. The prosecution alleges that when a raid/inspection was conducted by the Police, 10 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 05.11.2015 and the seizure having been made, no further investigation is necessary.
4. Per contra, learned State Counsel opposes the bail application. However, he 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 10 bulk litres; offence is triable by the JMFC and the applicant is in jail since 05.11.2015, 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 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