

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 4050 of 2016**

Sukanti Satnami W/o Buddhu Satnami Aged About 60 Years R/o  
Village - Loing, Police Station - Chakradharnagar, District - Raigarh  
Chhattisgarh

**---- Applicant**

**Versus**

State of Chhattisgarh Through : The Excise Officer, Excise Circle  
Raigarh North District - Raigarh Chhattisgarh

**---- Respondent**

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For Applicant : Mr. Manoj Kumar Jaiswal, Advocate

For Respondent/State : Mr. Lav Sharma, Panel Lawyer

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**26 /07/2016**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Excise Crime No. 88/16-17 registered at – Police Station Excise Circle Raigarh North, District Raigarh (C.G.) for the offence punishable under Sections 34(1)(A), 34(2) and 59 (A)(A)(1)(2) of the C.G. Excise Act.
2. The prosecution alleges that the applicant was found to be in possession of illicit liquor measuring about 5.400 bulk liters and she was arrested on 08.06.2016.

3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and the applicant is in jail since 08.06.2016, therefore, she may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail, however, he would submit that as per the information received from the concerned SHO, earlier no case under section 34(2) of Chhattisgarh Excise Act is registered.
5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 5.400 bulk liters; offence is triable by the JMFC and the applicant is in jail since 08.06.2016, this Court is inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed.

**Sd/-**  
**(Goutam Bhaduri)**  
**Judge**