

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7776 of 2015

- Smt. Rajkumari Sen, wife of Late Venkat Sen Aged About 40 Years R/o Basore Mohalla, Near Bus Stand, Manendragarh, Post Office, Police Station Manendragarh, District Koriya Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Manendragarh, District Koriya Chhattisgarh.

---- **Respondent**

For the applicant	:	Mr. Shivendu Pandya, Advocate
For the Respondent	:	Mr.Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

19.01.2016

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. 256 of 2015 registered at P.S. Manendragarh, District Koriya (C.G) for the offence punishable under Section 34(2) of the Excise Act.
2. The prosecution case, in brief, is that when a raid was conducted on 21.10.2015, 20 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 21.10.2015 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 past antecedents.
5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor in this case is

20 bulk litres; offence is triable by the JMFC and the applicant who is a lady is in jail since 21.10.2015, 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 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