

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5237 of 2016

Parmila Bai W/o Ratiram Pardhi, Aged About 60 Years, R/o. Village
(Wrongly Typed Gaj) Rajpur, P.S. Dhamdha, District Durg
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through : The Station House Officer, Police
Station Dhamdha, District Durg Chhattisgarh

---- Respondent

For applicant - Shri Jitendra Gupta, Advocate.
For Respondent/State – Shri Vivek Singhal, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

7/09/2016

1. This is the second bail application under Section 439 of Cr.P.C. The earlier bail application was dismissed on 29/06/2016 with liberty to renew the prayer after examination of the seizure witness.
2. The applicant has preferred this application for grant of bail as she is arrested in connection with Crime No.151/2016 registered in Police Station Dhamdha, District Durg (C.G.) for offence punishable under section 34 (2) of C.G. Excise Act.
3. As per the prosecution case, on a raid being conducted by the Police on 4/05/2016, 39.240 bulk litres of illicit liquor was seized from the possession of the applicant.
4. Learned counsel for the applicant submits that seizure witnesses namely Nakulram Yadav and Dilharan Chouhan have been examined, they have not supported the case of the prosecution. Therefore, no case is made out against the applicant and he may be released on bail.
5. Learned State counsel is not able to dispute the fact that seizure witnesses have not supported the case of prosecution.
6. Perused the statement of Nakulram Yadav and Dilharan Chouhan

who are said to be seizure witnesses. Considering the fact that seizure witnesses have not supported the case of the prosecution, this court is inclined to release the applicant on bail.

7. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on her furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for her regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE