

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3017 of 2016

- Smt. Sulochana Bai Lenjhare W/o Ganpat Lal Lenjhare Aged About 52 Years R/o Village Keregaon, Police Station Dongargaon District Rajnandgaon Chhattisgarh

---- Petitioner

Versus

- State of Chhattisgarh Through The Divisional Flying Squad, Excise, District Raipur Chhattisgarh **--- Respondent**

For the applicant	:	Mr. Shaleen Singh Baghel, Advocate
For the Respondent	:	Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

22.06.2016

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.45/2016. registered at P.S. Divisional Flying Squad, Excise Department, Raipur (C.G) for the offence punishable under Section 34(2), 59-A(1)(2) of the Chhattisgarh Excise Act, 1915.
2. The prosecution alleges that when a raid/inspection was conducted by the Flying Squad of Excise Department Raipur, 26.640 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 05.05.2016 and the alleged 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 26.640 bulk litres; offence is triable by the JMFC and the applicant is in jail since 05.05.2016, 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 also appear before the said Court as and when directed by the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE