

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 76 of 2016

- Smt Seetabai W/o Bharat Verma Aged About 40 Years R/o Village - Jota, P.S. & Tahsil - Pathariya, Revenue Distt. Mungeli, Civil Distt. Bilaspur Chhattisgarh --- **Petitioner**

Versus

- The State of Chhattisgarh Through The Excise Officer, Excise Circle Mungeli, Distt. Mungeli Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Sunil Sahu, Advocate
For the Respondent	:	Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

20.01.2016

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. 482/2015 registered at P.S. Excise Circle Mungeli, District Mungeli (C.G) for the offence punishable under Sections 34(1)(A) 34(2) & 59(A) of the Chhattisgarh Excise Act.
2. The prosecution case, in brief, is that when a raid was conducted on 22.12.2015, 29.160 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 22.12.2015 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 29.160 bulk litres; offence is triable by the JMFC and the

applicant is in jail since 22.12.2015 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 also appear before the trial Court as and when directed by the said Court.

7. C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE

Rao