

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.2592 OF 2016

Najma Begum, W/o Hamid Ansari, aged about 45 years, R/o Near Surbhi School, Bhilai-03, District Durg (C.G.)

... Applicant

Versus

State of Chhattisgarh, through P.S. Amanaka, Raipur, District Raipur (C.G.)

... Non-applicant

For Applicant	:	Mr. S. I. Ali, Advocate.
For Non-applicant/State	:	Mr. Gary Mukhopadhyay, Dy. GA

Hon'ble Shri Justice P. Sam Koshy

Order on Board

06/06/2016

1. This is the first application filed under Section 439 of CrPC for grant of bail to Applicant who has been arrested on 15.4.2016 in connection with Crime No.90/2016 registered at Police Station Amanaka, Raipur, District Raipur, for the offence punishable under Section 34 (2) of Excise Act.
2. As per the prosecution, the applicant was found in possession of 8.640 bulk liters of country made liquor.
3. Counsel for the Applicant submits that quantity of the liquor is small and she is in jail since 15.04.2016 and further that it is the first offence registered against the present applicant and there is no past criminal antecedent against the present applicant, therefore, the present applicant may be released on bail.

4. Counsel for the State opposes the application for grant of bail.
5. Considering the total facts and circumstances of the present case and keeping in mind the quantity of the liquor and the fact that the present applicant is in jail since 15.04.2016, this Court is of the view that it is a fit case where the Applicant can be released on bail.
6. Accordingly, the application for grant of bail is allowed. It is directed that in case the Applicant furnishes a personal bond for a sum of **Rs. 20,000/- with one surety** of the like amount to the satisfaction of the concerned Trial Court then he shall be released on bail on the following further conditions:-

- (i) that the Applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- (ii) that the Applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iii) that the Applicant shall appear before the Trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(P. Sam Koshy)
V. Judge