

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4005 of 2016

Sunita Khare, W/o Mohan Khare Aged About 45 Years R/o Village
Thehkadeeh, P.S. Khairagarh, Civil & Revenue District Rajnandgaon,
Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh Through P.S. Khairagarh, District Rajnandgaon,
Chhattisgarh.

---- Respondent

For Applicant : Mr. Rakesh Thakur, Advocate

For Respondent/State : Ms. Shobha Kashyap, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

26 /07/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 163/2016 registered at – Police Station Khairagarh, District Rajnandgaon (C.G.) for the offence punishable under Section 34(2) of the Excise Act.
2. The prosecution alleges that the applicant was found to be in possession of illicit liquor measuring about 72.900 bulk liters and she was arrested on 06.05.2016.

3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and the applicant is in jail since 06.05.2016, therefore, she may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 72.900 bulk liters; offence is triable by the JMFC and the applicant is in jail since 06.05.2016, this Court is inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge