

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4356 of 2016

Sukul Bai, W/o. Rohit Banjare, aged about 50 years, R/o. Village-
Risda, P.S. Balodabazar, District Balodabazar - Bhatapara
Chhattisgarh

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer - Police
Station Balodabazar, District Balodabazar - Bhatapara
Chhattisgarh

---- Respondent

For the Applicant	: Mr. Yogesh Chandra, Advocate
For the Respondent	: Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08.08.2016

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. 248/2016 registered at P.S. Balodabazar, District Balodabazar, Bhatapara (C.G) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
2. The prosecution alleges that when a raid/inspection was conducted by the Police, 5.400 bulk litres of illicit liquor was seized from the possession of the applicant.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case as no seizure was made in person from him. He further submits that the applicant is in jail since 03.07.2016 and the alleged seizure

having been made, no further investigation is necessary, therefore, she may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application. However, he submits that earlier no case u/s 34(2) of the Excise Act was registered against the applicant.
5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor in this case is 5.400 bulk litres; offence is triable by the JMFC and the applicant is in jail since 03.07.2016, this Court is inclined to release him 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 shall also appear before the said Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

GOUTAM BHADURI
JUDGE