

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1515 of 2017

- Smt. Samina Rout W/o Shri Dadu Rout, Aged About 21 Years R/o Near Hanuman Mandir, Thada Behind Patrol Pump, Jhoparpatti, Police Station Jawahar Nagar, District Bhandara Maharashtra ---
Applicant

Versus

- State of Chhattisgarh through Station House Officer, Police Station Pandri, Civil & Revenue District Raipur Chhattisgarh -- **Respondent**

For the applicant	: Ms. Nand Kumari Kashyap, Advocate
For the Respondent	: Ms. K. Tripti Rao, Panel Lawyer

Hon'ble Shri Justice GOUTAM BHADURI

Order on Board

21.03.2017

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. 50 of 2017 registered at Police Station Pandri, Distt. Raipur (C.G) for the offence punishable under Sections 34(2) of the Chhattisgarh Excise Act.
2. The prosecution alleges that when a raid was conducted by the Police on 11.2.2017, from the possession of the applicant 5.400 bulk litres of illicit liquor was seized.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and no seizure was made in person from her. He further submits that the applicant is in jail since 11.02.2017 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, she is not able to dispute the fact that

earlier any case of similar nature u/s 34(2) of the C.G. Excise Act was registered against her.

5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor in this case is only 5.400 bulk litres; offence is triable by the JMFC and the applicant is in jail since 11.02.2017 this Court is inclined to release her on bail.
6. Accordingly, this application is allowed and the applicant is directed to be released on bail on 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 for her appearance before the said Court as and when directed.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE

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