

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No.4622 of 2017**

Smt. Vrinda Chauhan, W/o Panchram Chauhan, aged about 50 years, R/o Village Kantahardi, Police Station Kotra Road, Raigarh, Tahsil & District Raigarh (Chhattisgarh)

---- Applicant

versus

State of Chhattisgarh through Station House Officer, Police Station Kotra Road, District Raigarh (Chhattisgarh)

---- Respondent

For Applicant	:	Shri Ashish Gupta, Advocate
For Respondent/State	:	Shri Samir Behar, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

10.7.2017

1. Heard Learned Counsel appearing for the parties on admission.
2. The application is admitted for hearing.
3. Learned Counsel appearing for the Applicant submits that the case diary is available with Learned Counsel for the State. He further submits that the Applicant is a 50 years old lady and she is in jail since 18.6.2017, therefore, the application may finally be heard and decided today.
4. Learned Counsel appearing for the State has no objection.
5. With the consent of Learned Counsel appearing for the parties, the matter is finally heard and decided.
6. This is the first bail application filed under Section 439 Cr.P.C. for grant of regular bail to the Applicant who has been arrested in connection with Crime No.115 of 2017 registered at Police Station Kotra Road, Raigarh, District Raigarh (Chhattisgarh) for the

offence punishable under Sections 34(2), 59(A) of the Chhattisgarh Excise Act.

7. Case of the prosecution against the Applicant is that 10 bulk litres of country-made liquor was found in her possession.
8. Learned Counsel appearing for the Applicant submits that this is the first bail application before this Court for grant of regular bail to the Applicant. No other application of this nature is pending or decided by this Court or by the Supreme Court. He further submits that the Applicant has been arrested on 18.6.2017 for the aforesaid offence and since then she is in jail. She is a 50 years old lady. She is innocent and has falsely been implicated in the instant case. She is a permanent resident of the address mentioned in the cause-title of the bail application and there is no chance of her absconding or tampering the prosecution witnesses. Learned Counsel, therefore, prays that the Applicant may be enlarged on bail.
9. Learned Counsel appearing for the State opposes the bail application.
10. I have heard Learned Counsel for the parties and perused the entire case diary.
11. Looking to the fact that only 10 bulk litres of country-made liquor was seized from the Applicant, she is a 50 years old lady, she has no criminal antecedent, charge-sheet has already been filed and trial may take some time, I am of the considered opinion that the present is a fit case in which the Applicant can be enlarged on regular bail.

12. Accordingly, the bail application under Section 439 Cr.P.C. is allowed.
13. It is directed that the Applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with one solvent surety of the like sum to the satisfaction of the Chief Judicial Magistrate, Raigarh for her appearance before the concerned Trial Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge