

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 145 of 2017

Smt. Janki Sahu, W/o. Late Uday Ram Sahu, Aged About 52 Years, R/o. Village- Nisda, Police Station- Arang, Tahsil & District- Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- Police Station- Arang, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant : Ms. Arpana Singh, Advocate

For Respondent : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

25/01/2017

1. This is the second 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.422/2016 registered at Police Station- Arang, District Raipur (C.G.) for the offence punishable under Section 34(2) of the Excise Act.
2. As per the prosecution case, on 13.11.2016, on a raid being conducted, from the possession of the present applicant, total 75.06 bulk liters of illicit liquor was seized.
3. Learned counsel for the applicant would submit that this is the second bail application, the earlier bail application was dismissed as withdrawn on 15.12.2016 with liberty to repeat the same after filing of the charge sheet. She submits that the charge sheet has been filed and no further investigation is necessary, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case and the quantity of seized liquor and further taking into fact that the charge sheet has been filed and the applicant who is a lady is in jail since 13.11.2016, I am 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