

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 81 of 2018

- Smt. Moharmaniya Wd/o Laxman, Aged About 60 Years Caste Rajwar, R/o. Village Dabaridad, Surajpur, P.S. And Tahsil And District Surajpur Chhattisgarh, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Office Of Excise Deputy Inspector, Circle Surajpur, District Surajpur Chhattisgarh, Chhattisgarh.

---- Respondent

For Applicant : Mr. Keshav Prasad Gupta, Advocate

For Respondent : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

15.02.2018

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. 87/2017, registered at Police Station- Excise Deputy Inspector, Circle Surajpur, District – Surajpur, (C.G.) for the offence punishable under Sections 34(1)(A), 34 (2) and 59 (A) of the Chhattisgarh Excise Act.
2. The prosecution alleges that the applicant was found to be in possession of illicit liquor measuring about 6.700 bulk liters and she was arrested on 12.12.2017

3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and she is in jail since 12.12.2017 ; therefore, she may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail, however, he would submit that as per the information received from the concerned SHO, the applicant has no previous antecedents of similar offence.
5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized illicit liquor is 6.700 bulk liters, 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 / -

(Rajendra Chandra Singh Samant)
Judge

Jamal