

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 303 of 2018

- Budhiyarin Bai W/o Dashrath Turi, Aged About 35 Years, R/o Village Karanara, Indira Awas, Tahsil Kharsiya, Civil And Revenue District Raigarh Chhattisgarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Kharsiya, Civil And Revenue District Raigarh Chhattisgarh, Chhattisgarh

---- Non-applicant

For Applicant – Shri Punit Ruparel, Advocate.

For Non-applicant/State – Shri Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

15-02-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 29-12-2017 in connection with Crime No.637/2017 registered at P.S. Kharsiya, District Raigarh, Chhattisgarh for the offence under Section 34(2) & 59(A) of the C.G. Excise Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. She is in custody since 29-12-2017. Hence, she may be enlarged on bail.
3. Learned counsel for the State/non-applicant opposes the application and submission. It is submitted that in total 6.300 bulk liter illicit liquor has been seized from the possession of the applicant. Also, one previous case under Section 34(1) of the Excise Act was registered against this applicant. Hence, she is not entitled for grant of bail.
4. Heard learned counsel for both the parties and perused the case diary.
5. Considered on the submissions made and the contents of the case diary. Though there is one previous case of similar offence registered against

this applicant, but conviction or acquittal of the applicant has not been reported regarding the said case, further in the present matter detention of the applicant till conclusion of the trial would not serve any purpose. Hence, for these reasons the application deserves to be allowed.

6. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for her appearance as and when directed.

7. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge