

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 548 of 2018

- Kamlabai W/o Ramdhun Sahu Aged About 55 Years R/o Village Birgaon, P. S. Jarhagaon, Tehsil And District Mungeli Chhattisgarh, District : Mungeli, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Excise Circle Mungeli District Mungeli Chhattisgarh, District : Mungeli, Chhattisgarh

---- Respondent

For Applicants	:	Shri Pallav Mishra, Advocate.
For Non-applicant/State	:	Smt. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

19-02-2018

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. 211/2018, registered at Police Station- Excise Circle, District – Mungeli(C.G.) for the offence punishable under Section 34(1)(A), 34(2) & 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 10 bulk liters and she was arrested on 3.1.2018.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and she is in jail since 3.1.2018; therefore, she may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail, however, she 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 liquor is 10 bulk liters; offence is triable by the JMFC and the applicant is in jail since 3.1.2018, 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. It is directed that the applicant shall be released on bail on her 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.
7. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha