

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 1785 of 2018

- Darash Bareth D/o Teej Ram Bareth Aged About 32 Years R/o Village Gurda (Wrongly Mentioned In Order Sheet Of The Court Below As Kurda) Police Station And Tehsil Kharsiya District Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Kharsiya District Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Amit Sharma, Advocate
For Respondent	:	Ms. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

19.03.2018

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. 101/2018, registered at Police Station- Kharsiya, District – Raigarh, (C.G.) for the offence punishable under Sections 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 07 bulk liters and she was arrested on 15.02.2018.
3. Learned counsel for the applicant submits, that the applicant has falsely been implicated in this case and she is in jail since 15.02.2018., 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 07 bulk liters; offence is triable by the JMFC and the applicant is in jail since 15.02.2018., 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.
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