

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 3226 of 2018

- Smt. Sarita Gajraj W/o Gopal @ Bake Gajraj Aged About 25 Years R/o-
Khalbada, Police Station Gudhiyari, District- Raipur, Chhattisgarh.,
District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station
Gudhiyari, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

For Applicant	:	Mr. C.R. Sahu, Advocate
For Respondent	:	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

15.05.2018

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. 126/2018, registered at Police Station- Gudhiyari, District – Raipur, (C.G.) for the offence punishable under Sections 34(2) of the Chhattisgarh Excise Act.
2. The prosecution alleges that the applicant was found to be in possession of illicit liquor measuring about 5.040 bulk liters and she was arrested on 11.04.2018.
3. Learned counsel for the applicant submits, that the applicant has falsely been implicated in this case and she is in jail since 11.04.2018,

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 one previous case under Section 34 (2) of C.G. Excise Act, therefore, she may not be released on bail.
5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized illicit liquor is 5.040 bulk liters; offence is triable by the JMFC and the applicant is in jail since 11.04.2018, 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