

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3533 of 2018**

- Smt. Gayatri Bai W/o Shri Keshari @ Kesharu Aged About 48 Years R/o- Village- Gujra, Thana- Bhakhara, Civil And Revenue District- Dhamtari, Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through- The Station House Officer, Police Station- Bhakhara, Civil And Revenue District- Dhamtari, Chhattisgarh

---- Respondent

For Applicant	:	Shri Sunil Sahu, Advocate
For Respondent/State	:	Shri Sanjeev Pandey, GA for the State

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****01/06/2018**

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 on 04.02.2018 in connection with Crime No.17/2018 registered at Police Station Bhakhara District Dhamtari (CG) for the offence punishable under Section 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 5.580 bulk liters and she was arrested on 04.02.2018.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and she is in jail since 04.02.2018 therefore, the applicant may be released on bail.
4. On the other hand, learned counsel for the State opposes the prayer for

grant of bail, and submits that the applicant has been prosecuted under the provisions of Chhattisgarh Excise Act number of occasions and she is prosecuted for other offences and also in one case of NDPS Act.

5. Apart from the recent case registered against this applicant, last prosecution was of the year 2011. Looking to the fact of this case and also that the applicant is a woman and no purpose would be served in keeping her in detention, this Court is inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. 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 trial Court, for her appearance as and when directed.
8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Vacation Judge

Ashu