

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 3801 of 2018

- Smt. Shanti Bai W/o Firat, Aged About 54 Years R/o Village Mudpar, Police Station Hasoud, District Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh through District Magistrate, Police Station Hasoud, District Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicant :Mr. C.P.Lahrey, Advocate

For Respondent/State :Mr. Neeraj Sharma, Dy. Govt. Advocate.

Hon'ble Shri Justice Ram Prasanna Sharma
Order on Board

08/06/2018

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 11-5-2018 in connection with Crime No. 102 of 2018, registered at Police Station Hasoud, District Janjgir-Champa (CG) for the offence punishable under Sections 34 (2) & 34(1)(A) of the Chhattisgarh Excise Act, 1915.
2. The allegation of the prosecution against the applicant is that the applicant was found in possession of illicit liquor measuring total about 7 liters and she was arrested on 11-5-2018 for the said offence.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and she is in jail since 11-5-2018, therefore, she may be released on bail.
4. On the other hand, learned State counsel opposes the prayer for grant of bail, however, he submits that as per the information received from the concerned Station House Officer the applicant has no antecedent of similar offence.
5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 7 liters; there is no antecedent of the applicant of similar offence and the applicant is in jail since 11-5-2018, 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 and 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 before the trial Court as and when directed.

Certified copy as per rules.

Sd/-

(Ram Prasanna Sharma)
Vacation Judge