

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 4689 of 2018**

1. Smt. Agni Bai Sahu W/o Lt. Shri Salikram Sahu Aged About 48 Years
 2. Smt. Razida Begum W/o Mohammed Riyaz Aged About 38 Years
- Both R/o Naharpara, Kapa, Mowa, Raipur, District : Raipur,
Chhattisgarh

---- Applicants**Versus**

The State Of Chhattisgarh Through The Station House Officer, Police Station
Pandri (Mowa) District Raipur Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Pragalbha Sharma, Advocate
For Respondent	:	Mr. Ashok Swarnakar, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****16/07/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No. 212/2018, registered at Police Station- Pandri (Mowa), District – Raipur (C.G.) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act.
2. The prosecution alleges that the applicants were found to be in possession of illicit liquor measuring about 5.40 bulk liters and they were arrested on 02.06.2018.
3. Learned counsel for the applicants submits that the applicants have falsely been implicated in this case and they are in jail since

02.06.2018; therefore, they 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, one previous prosecution under the Excise Act are registered against the applicants. Therefore, they may not be released on bail.
5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor is 5.40 bulk liters; offence is triable by the JMFC and the applicants are in jail since 02.06.2018, this Court is inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge