

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6602 of 2018**

- Smt. Chinta Bai W/o Radheshyam Sonwani Aged About 45 Years R/o Village Chuchrungpur, Police Station Suhela, District Baloda Bazar-Bhatapara Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Of Police Station Suhela District Baloda Bazar-Bhatapara Chhattisgarh.

---- Non-applicant

For Applicant : Shri Yogesh Kumar Chandra, Advocate

For Non-applicant : Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****25.09.2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. The applicant has been arrested in connection with crime No. 147/2018 registered at Police Station – Suhela District – Baloda Bazar – Bhatapara (C.G.) for the offence punishable under Section 34(2), 36 of the C.G. Excise Act.
3. Case of the prosecution, in brief is that on 02.08.2018, 112.5 bulk liter foreign liquor has been seized from the applicant.
4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case, therefore, she shall be

released on bail.

5. On the other hand, learned counsel for the State opposes the bail application. He further submits that 5 other cases have been registered against the applicant; out of which four were under the Excise Act and one was under Cr.P.C.

6. Looking to the above facts and circumstances of the case, looking to the huge quantity of the seized foreign liquor, looking to the fact that five other cases have been registered against the applicant, this Court is not inclined to give benefit of Section 439 Cr.P.C. to the applicant.

7. Accordingly, the application is rejected.

8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE