

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7206 of 2018**

Jaibun Nisha W/o Nazir Khan Aged About 45 Years R/o- Rampur,
Vindhyawasini Ward, Dhamtari, Tahsil And District- Dhamtari,
Chhattisgarh.

---- Applicant

Versus

The State Of Chhattisgarh Through- Station House Officer, Police
Station City Kotwali, Dhamtari, District- Dhamtari, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Amit Kumar Sahu, Advocate
For the State	:	Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**06/10/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.410/2018 registered in Police Station City Kotwali, District Dhamtari (C.G.) for the offence punishable under Section 34(2) of CG Excise Act.
3. Case of the prosecution, in brief is that on 06/09/2018, 6.640 bulk liters country liquor has been seized from the possession of the applicant.
4. Counsel for the applicant argued that the applicant is innocent and has been falsely implicated, hence, she be released on bail.
5. On the other hand, the State counsel opposed the bail application. He further submits that 7 other criminal cases have already been registered against the applicant, out of which 6 cases under Excise Act and 1 case under NDPS Act.
6. Counsel for the applicant further submitted that in all cases under Excise Act she has already been acquitted and alleged seized liquor is in small quantity or less quantity.
7. Looking to the above mentioned facts and circumstances of the case, looking to this fact that 7 other criminal cases have already been registered

against the applicant, this Court is not inclined to grant bail to the applicant.

8. Consequently, the MCRC is dismissed.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde