NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 7697 of 2018

- Charki Ahir W/o Suresh Ahir, aged about 30 years, R/o Bapu Nagar, Khursipar, Bhilai, Tahsil & District Durg (C.G.).

---- Applicant

In Jail.

Versus

- State Of Chhattisgarh Through – Station House Officer, Police Station: Khursipar, District: Durg (C.G.).

---- Respondent

For the Applicant : Shri Jitendra Gupta, Advocate
For the Respondent/State :Shri G. Mukhopadhyay, G.A.

Hon'ble Shri Justice Gautam Chourdiya

ORDER On Board

11.10.2018

1. The applicant has preferred this application under Section 439 of Cr.P.C. as she is in jail since 13.09.2018 in connection with Crime No 259/2018, registered in Police Station- Khursipar, District- Durg (Chhattisgarh) for the offence punishable under Section 34 (1) (A) (f) & 34(2) of the Chhattisgarh Excise Act.

2. Allegation against the applicant is that she was found in illegal possession of about 7 liters of country-made liquor.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime, she is languishing in jail since 13.09.2018, the offence is triable by the Magistrate and conclusion of trial is likely to take some time.

4. On the other hand, learned counsel for the State opposes the bail

application. However, he submits that the applicant has no criminal antecedents.

5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, considering the quantity of liquor, the detention period of the applicant and the fact that conclusion of trial may take some time, the application is allowed. It is directed that in the event of applicant executing a personal bond for a sum of Rs.25,000/- with one surety for the like amount to the satisfaction of the concerned trial Court, she shall be released on bail. She is directed to appear before the trial Court on each and every date given to her by the said Court, till disposal of the trial.

6. It is made clear that the applicant shall not involve herself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

7. Certified copy today.

Sd/-

(Gautam Chourdiya)
Judge

Amita