

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 7888 of 2017**

- Shivkumari W/o Sunil, Aged About 45 Years, R/o Khursipar Gate, Bhilai, Tehsil And District Durg Chhattisgarh , Chhattisgarh

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through District Magistrate, District Durg Chhattisgarh , Chhattisgarh

**---- Non-applicant**

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For Applicant – Shri Anmol Sharma, Advocate.

For Non-applicant/State – Shri Wasim Miyan, Panel Lawyer.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**

**Order on Board**

**05-02-2018**

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court by the applicant for grant of regular bail. The applicant has been arrested on 23-10-2017 in connection with Crime No.284/2017 registered at P.S. Khursipar, District Durg, Chhattisgarh for the offence under Section 34(2) of the C.G. Excise Act.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. She is in custody since 23-10-2017. Hence, she may be enlarged on bail.

3. Learned counsel for the State/non-applicant opposes the application and submission. It is submitted that in total 20.52 bulk liter illicit liquor has been seized from the possession of the applicant. Also, there is one case earlier registered against the applicant under Section 34(1)(a) of the Excise Act. Hence, she is not entitled for grant of bail.

4. In reply, learned counsel for the applicant submits that the applicant is on bail in aforesaid previous case.

5. Heard learned counsel for both the parties and perused the case diary.

6. Considered the submissions made and the contents of the case diary. As submitted, the applicant is on bail in previous case which was registered under the provision of the Excise Act, also in the present matter detention of the applicant till conclusion of the trial would not serve any purpose. Hence, for these reasons the application deserves to be allowed.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for her appearance as and when directed.

8. Certified copy as per rules.

Sd/-  
**(Rajendra Chandra Singh Samant)**  
**Judge**