

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 3620 of 2019

- Smt. Santoshi Gouraha W/o Suresh Gouraha Aged About 40 Years R/o, A/6, Atal Awas Khamtarai, Police Station Sarkanda, District Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer Police Station Sarkandal, District Bilaspur Chhattisgarh

----Non Applicant

For the Applicant : Mr. Rajeev Kumar Dubey, Advocate

For Non Applicant : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board17.06.2019

1. This is second bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court. No other bail application is pending before any other Court.
2. Earlier, the first bail application of the applicant was dismissed as withdrawn without considering the merits of the case.
3. Perused the case diary provided by the learned counsel for the State in connection with Crime No.230/2019 registered at Police Station-Sarkanda, District- Bilaspur (C.G.) for the offence punishable under Section 34(2) of the CG Excise Act.
4. Case of the prosecution in brief is that on 09.03.2019, Sub Inspector J.A.Khan posted at Sarkanda, seized 6 liters country made liquor from the possession of the applicant.
5. Learned counsel for the applicant submits that applicant has no criminal background, he is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
6. On the other hand, learned counsel for the State opposes the bail application, however, he submits that 4 other criminal cases under the NDPS Act have been registered against the applicant.
7. Counsel for the applicant further submits that applicant has already been acquitted in 3 cases and she is a woman and in jail since 4 months.
8. Looking to the above mentioned facts and circumstances of the case, looking to this fact that 4 other criminal cases have been registered against the applicant, this Court is not inclined to grant the bail to the applicant. Consequently, the bail application is rejected.
9. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
Judge