

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4459 of 2019

- Mamta Rajak D/o Shri Moti Lal Rajak, Aged About 21 Years, Caste Rajak, R/o Ward No. 05 Mouharpara Manendragarh, Police Station and Tahsil Manendragarh, District- Korea, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Applicant

Versus

- The State of Chhattisgarh Through Police Station Manendragrah, District- Korea, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

----Non-applicant

For Applicant – Shri Hemant Kumar Agrawal, Advocate.

For Non-applicant/State – Shri Subhash Yadav, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

15-07-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 22-06-2019 in connection with Crime No.188/2019 registered at P.S. - Manendragrah, Tahsil Manendragarh, District- Korea, Chhattisgarh for the offence under Section 34(2) of the Excise Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. She is in jail since 22-06-2019. Hence, it is prayed that the applicant may be released on regular bail.
3. Learned counsel for the State/non-applicant opposes the application and submission. It is submitted that in total 17.640 bulk liter illicit liquor has been seized from the possession of the applicant. Also, one previous case under the provisions of the IPC registered against the applicant. Hence, she is not entitled for grant of bail.
4. Heard learned counsel for the parties and perused the case diary.
5. Considering on the submissions made and the contents of the case

diary, detention of the applicant till conclusion of the trial would not serve any purpose. Though one previous case has been reported against the applicant, but her conviction or acquittal in the said case has not been reported. Hence, for these reasons, I am of the view that the application deserves to be allowed.

6. 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.

7. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge