

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 6409 of 2019

- Priya Sahu W/o Hukumat Sahu Aged About 30 Years R/o Telibandha, Subhash Nagar, Tahsil And District Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Telibandha, Raipur, District Raipur Chhattisgarh

---- Respondent

For Applicant	:	Mr. Rekhraj Baghel, Advocate.
For Non-applicant/State	:	Mr. Jitendra Shukla, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

01-10-2019

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 457/2019, registered at Police Station- Telibandha, District- Raipur (C.G.) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act, 1915.
2. The prosecution alleges that the applicant was found to be in possession of illicit liquor measuring about 5.760 liters and she was arrested on 13.09.2019.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and she is in jail since 13.09.2019; therefore, she may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail, however, he would submit that as per the information received from the concerned SHO, the applicant has no previous antecedents of similar offence.
5. Taking into consideration the totality of the circumstances and the fact

that the quantity of seized liquor is 5.760 liters; offence is triable by the JMFC and the applicant is in jail since 13.09.2019, this Court is inclined to release the applicant on bail.

6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on her furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed.
7. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Monika