

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 1072 of 2020

Smt. Pramila Lahre (Ratre) W/o Bholu Lahre Aged About 21 Years Occupation Housewife, R/o Village- Salhe, Police Station- Kosir, Tahsil- Sarangarh, District- Raigarh, (C.G.).

---- Applicant

Versus

State Of Chhattisgarh Through S.H.O. Of The Police Station - Kosir, Tahsil- Sarangarh, District- Raigarh, (C.G.)

---- Respondent

For Applicant	: Mr. Abhishek Saraf, Advocate.
For Respondent/State	: Ms. Fouzia Mirza, Additional A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava
Order On Board

20/11/2020

1. The applicant has filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as she is apprehending her arrest in connection with crime no. 01/2020, registered at Police Station Kosir, Tahsil Sarangarh, Distt. Raigarh (C.G.) for the offence punishable under Sections 34(2) & 59(A) of the Chhattisgarh Excise Act.
2. As per prosecution story, 21 bulk liters of *Mahua* liquor was seized from the possession of co-accused Ramlal Chandra. As against the applicant, prosecution case is that the applicant is also involved in the crime in question as the liquor was supplied by her to co-accused Ramlal Chandra.
3. Learned Counsel appearing for the applicant would submit that without being any material against the applicant, she has been implicated in the

crime in question. He further submits that neither she was present at the spot where from the liquor was seized nor any other material has been seized from her possession to involve her in the present case. It is also submitted that there is no memorandum of co-accused Ramlal Chandra that the liquor was supplied by the applicant to him. Hence, it is prayed that at this stage, the applicant may be granted anticipatory bail.

4. Learned Counsel appearing for the State opposes the bail application and submits that investigation is going on and so far in the investigation it has been revealed that the conduct of present applicant was quite suspicious and the prosecution has received information that the applicant has supplied the liquor to co-accused Ramlal Chandra. Hence, it is prayed that the anticipatory bail application of the applicant may be rejected.
5. I have heard learned Counsel appearing for the parties and perused the material available with due care.
6. Taking into consideration the submissions put-forth on behalf of the parties, particularly, taking into consideration submission of learned counsel for the applicant that without being any material against the applicant, she has been implicated in the present case, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present applicant.
7. Accordingly, the bail application is allowed.
8. It is directed that in the event of arrest of the applicant in connection with the aforesaid crime, she shall be released on anticipatory bail on furnishing a personal bond in the sum of Rs. 20,000/- with one local solvent surety for the like sum to the satisfaction of the Arresting Officer/Presiding Officer of the concerned Trial Court. She shall also abide

by all the following terms and conditions :

- * That the accused/applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such fact to the Court,
- * That the accused/applicant shall not act in any manner which will be prejudicial to fair and expeditious trial.
- * That the accused/applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.
- * That the accused/applicant shall made herself available for interrogation before the concerned Investigating Officer as and when required;

Sd/-

(Manindra Mohan Shrivastava)
Judge