NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 6845 of 2020

- Hembai W/o Shri Amar Bilas Manhar, aged about 45 years, R/o Village Ward No. 10, Jamgahan, Police of Police Station Malkharouda, District Janjgir-Champa (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through District Magistrate, Janjgir, Excise Circle Sakti, District Janjgir-Champa (C.G.)

---- State/Non-applicant

For Applicant	:	Shri C.P. Lahrey, Advocate
For Non-Applicant/State	:	Shri Vimlesh Bajpai, Government Advocate

Hon'ble Shri Justice Gautam Chourdiya, J
Order on Board

04.12.2020

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as she is in jail since 20.08.2020 in connection with Crime No. 69/2020 registered in Police Station- Excise Circle Sakti, District Janjgir-Champa (CG) for the offence punishable under Section 34 (1) (a) (f), 34 (2), & 59-A of the CG Excise Act.
2. Allegation against the applicant is that she was found in illegal possession of 08 bulk liters of hand made *mahuwa* liquor alongwith 40 Kg *mahuwa*.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime, she is languishing in jail since 20.08.2020 and conclusion of the trial is likely to take some time.
4. On the other hand, learned counsel for the State opposes the bail application.
5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, considering the quantity of illicit liquor alongwith

its material (*mahuwa*), the detention period of the applicant, she has no criminal antecedents as admitted by both the counsel and the fact that conclusion of the trial may take some time, without expressing any opinion on merits of the case, the application is allowed. It is directed that in the event of applicant executing a personal bond for a sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the concerned trial Court, she shall be released on bail. The applicant is directed to appear before the trial Court on each and every date given to her by the said Court, till disposal of the trial.

6. It is made clear that the applicant shall not involve herself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-

(Gautam Chourdiya)
Judge

vatti