

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8489 of 2020**

- Smt. Nirmala Banjare W/o. Mohan Banjare aged about 55 years; R/o. Village Khadahubhata Jayramnagar P. S. Masturi District- Bilaspur (C.G.).

----Applicant

Versus

- The State of Chhattisgarh, Through- The Excise Circle Masturi, District- Bilaspur (C.G.).

---- Respondent

For Applicant	:Shri Praveen K. Tulsyan, Advocate
For State	:Shri B. P. Banjare, Dy. G. A.

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****07/12/2020**

1. Heard on admission.
2. The application is admitted for hearing.
3. With the consent of the parties, the matter is heard finally.
4. The applicant has preferred this application under Section 439 of Cr.P.C. as she is in jail since 06.11.2020 in connection with Crime No. 68/2020 registered at Police Station -Excise Circle, Masturi, District- Bilaspur C.G. for the offence punishable under Section 34 (1) (a), 34 (2) and 59 (A) of the C.G. Excise Act.
5. Allegation against the applicant is that she was found in illegal

possession of 10 bulk liters of country made liquor.

6. Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime, she is languishing in jail since 06.11.2020 and conclusion of trial is likely to take some time. He also submits that the applicant has no criminal antecedent.

7. On the other hand, learned counsel for the State opposes the bail application.

8. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, considering the quantity of illicit liquor, the detention period of the applicant and the fact that the applicant has no criminal antecedent as admitted by both the counsels and that conclusion of trial may take some time, 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. She 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.

9. 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