

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 307 of 2021**

- Smt. Rajni Banjare, W/o Neelkanth Banjare, aged about 35 Years, R/o Village Devarghata, P.S. Hasaud Tahsil Sakti/Baradwar, District-Janjgir Champa (Chhattisgarh).

----Applicant

Versus

- State of Chhattisgarh, Through- Excise Circle Baradwar, District-Janjgir Champa (Chhattisgarh).

---- Respondent

For Applicant
For State

Shri Suresh Tandan, Advocate.
Shri B.L. Sahu, P.L.

Hon'ble Shri Justice Gautam Chourdiya
Order on Board

19/01/2021

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 16.12.2020 in connection with Crime No.125/2020 registered at Excise Circle Baradwar, District Janjgir-Champa, C.G. for the offence punishable under Sections 34(2) & 59(A) of the C.G. Excise Act.
5. Allegation against the applicant is that she was found in illegal possession of 12 bulk litres of hand made liquor (*Mahuwa*) and 100 Kg. Mahuwa Lahan.

6. Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime, she is languishing in jail since 16.12.2020 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. However, he submits that the applicant has no criminal antecedent.
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 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 on the following conditions:-
 - (i) she 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 from disclosing such fact to the Court,
 - (ii) she shall not act in any manner which will be prejudicial to fair and expeditious trial, and
 - (iii) she shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.
 - (iv) she shall not involve herself in any offence of similar nature in future.

Sd/-
Gautam Chourdiya
Judge