

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 334 of 2021**

1. Smt. Manju Soni Alias Manju Nayak W/o Pramod Soni, Aged About 65 Years, R/o New Kaling Nagar Gudhiyari, Police Station Gudhiyari, Raipur District Raipur (C.G.).

**---- Applicant**

**Versus**

1. State Of Chhattisgarh, Through Excise Circle Tatibandh, District Raipur (C.G.).

**---- Non-Applicant**

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|-------------------------|---|---------------------------------|
| For Applicant           | : | Mr. F.S. Khare, Advocate.       |
| For Non-Applicant/State | : | Mr. Ajay Kumrani, Panel Lawyer. |

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**Hon'ble Justice Shri Gautam Chourdiya**

**Order on Board**

**24/02/2021**

- 1) The applicant has preferred this First Bail Application under Section 439 of Code of Criminal Procedure, 1973 as she is in jail since 09/01/2021 in connection with Crime No. 198/2019 registered at Police Station Excise Circle Tatibandh, District Raipur (C.G.) for the offence punishable under Sections 34(2) & 59(a) of Chhattisgarh Excise Act.
- 2) Allegation against the applicant is that she was found in illegal possession of **102.6** bulk Ltrs. of liquor.
- 3) Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question as she has not committed any offence. He further submits that the applicant has been arrested on 09/01/2021, charge sheet has been filed and trial is likely to take some time for its disposal. Therefore, the applicant be released on bail by this Court.
- 4) On the other hand, learned counsel for the respondent/State

opposes the bail application. He submits that the applicant has as many as 5 criminal antecedent under Excise Act.

5) 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, charge sheet has already been filed and there is no apprehension of the applicant tampering with the evidence or absconding as admitted by both the counsel, and that conclusion of trial may take some time, the application is **allowed**. It is directed that in the event of the applicant executing a personal **bond** for a sum of **Rs. 1,00,000/-** with two sureties of Rs. 50,000/- 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**

Chandrakant