

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1727 of 2021

- Rajkumari Uikay, W/o Naresh Uikay, aged about 24 Years, R/o Village Belha, Police Station Pachpedhi, District Bilaspur, Chhattisgarh, Civil and Revenue District Bilaspur, Chhattisgarh.

---Applicant

Versus

- State of Chhattisgarh, Through Excise Circle Pachpedhi, Bilaspur, Chhattisgarh.

----Non-applicant

For Applicant	Shri Rajesh Roshan Singh, Advocate.
For State	Shri Dinesh Tiwari, Deputy G.A.

Hon'ble Shri Justice Gautam Chourdiya

Order on Board

10/03/2021

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 has been arrested in connection with Crime No.93/2021 registered at Excise Circle Pachpedhi, District Bilaspur, C.G. for the offence punishable under Sections 34(1)(A), 34(2) & 59(A) of the C.G. Excise Act.
5. Allegation against the applicant is that she was found in illegal possession of 22 bulk litres of hand made liquor (*Mahuwa*).
6. Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime, she is languishing in jail since

18.02.2021 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 and there is no likelihood of the applicant tampering with the evidence or absconding as admitted by both the counsel 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

Akhilesh