

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 10298 of 2021**

Smt. Basanti, wife of Chaitu, aged about 50 years, resident of Jena Talab, Ward No. 24, Ambikapur, Tahsil & Police Station, Ambikapur, District Surguja (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through : the Excise Circle, Ambikapur, District – Surguja (C.G.)

----Non-applicant

For Applicant	:	Mr. Manoj Kumar Mishra, Advocate.
For Non-applicant	:	Mrs. Hamida Siddiqui, Dy. Advocate General.

Hon'ble Mr. Justice N.K. Chandravanshi

Order On Board

30-12-2021

(1) As per applicant, this is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.

(2) The applicant has been arrested in connection with Crime No. 179/2021 registered at Excise Circle Ambikapur, District Surguja (C.G.) for commission of offence punishable under Sections 34(1)A, 34(2) & 59(A) of C.G. Excise Act.

(3) Case of the prosecution, in brief, is that the applicant was found in possession of 25 bulk liters of illicit liquor on 15.12.2021, which she was carrying without authority of law.

(4) Counsel for the applicant submits that the applicant has been falsely implicated in the crime in question, as the alleged liquor has not been seized from her exclusive possession. He further submits that the applicant, being a lady, is languishing in jail since 15.12.2021 and the trial is likely to take some time for its final disposal, therefore, the

applicant is entitled to be released on bail.

(5) Per contra, Counsel for the State opposes the bail application filed by the applicant.

(6) I have heard learned counsel for the parties and perused the case diary as well as material available on record.

(7) Looking to the entire facts and circumstances of the case, quantity of the liquor seized from the possession of the applicant and detention period of the applicant, I feel inclined to allow the bail application. Accordingly, the bail application is allowed.

(8) Accused/applicant is directed to be released on bail on her executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. 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) In view of above, I.A. No. 1/2021 & I.A. No. 2/2021 stand disposed of.

Certified copy, as per rules.

Sd/-

(N.K.Chandravanshi)
Vacation Judge

D/-

