

(2021) 05 CHH CK 0175

In the Chhattisgarh High Court

Case No : Miscellaneous Criminal Case (MCRC) No. 2993 Of 2021

Rajkumari Kurre

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision : 28-05-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439

Chhattisgarh Excise Act, 1915 — Section 34(1)(A), 34(2), 59(A)

Citation : (2021) 05 CHH CK 0175

Hon'ble Judges : Gautam Chourdiya, J

Bench : Single Bench

Advocate : Basant Kaiwartya, Gurudev Sharan

Final Decision : Disposed Of

Judgement

Gautam Chourdiya, J

1. The application is heard through Video Conferencing.

2. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as she is in jail since 22.04.2021 in connection with Crime No.

09/2021 registered in Police Station- Excise Circle Korba, District Korba (CG) for the offence punishable under Sections 34 (1) (A), 34 (2) & 59(A)

of the CG Excise Act.

3. Allegation against the present applicant is that she was found in illegal possession of 10.00 bulk liters of hand made mahuwa liquor.

4. Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime, she is languishing in jail since 22.04.2021 and

conclusion of the trial is likely to take some time. Therefore, the applicant be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, considering the quantity of illicit liquor, detention period of the applicant who is 39 years old, conclusion of the trial is likely to M.Cr.C. No. 2993 of 2021 take some, the applicant has no criminal antecedent as admitted by both the counsel and there is no apprehension of the applicant tampering with the evidence or absconding, without expressing any opinion on merits of the case, the bail application is allowed.
7. 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/her 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 or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.