

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1577 of 2017**

Arjun Goswami S/o Nand Kumar Goswami, Aged About 32 Years R/o
Village Semariya, Police Station Bori, Tahsil Dhamdha, Civil And
Revenue District Durg Chhattisgarh

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station
Bori, District Durg Chhattisgarh

---- Respondent

For applicant	Mr. Purnendu Khichariya, Adv.
For Respondent/State	Mr. Ashok Swarnkar, PL

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****27/03/2017**

1. Heard finally.
2. The applicant is in jail since 30-1-2017 in connection with crime no. 13/2017 registered in P.S. Bori for offence under Section 34 sub-section (2) of the CG Excise Act. As per allegation, the applicant was found to be in illicit possession of duty paid country liquor 5.760 bulk litre.
3. Learned counsel for the applicant submits that this is first bail application. The application is the first offender. He has a good case for grant of bail hence he may be enlarged on bail.
4. Learned counsel for the State opposed the bail application. However he fairly concedes that as per case diary, the applicant has no criminal antecedents.
5. Perused the material available.
6. On due consideration, instant MCRC is hereby allowed. The applicant is directed to be released on bail on his furnishing a personal bond in the sum of Rs. 20,000/- with one solvent surety of the like sum to the satisfaction of the JMFC, Durg, CG for his appearance before the said

Court regularly as and when directed by the said Court.

7. It is made clear that this order granting bail to the applicant shall stand cancelled automatically without reference to the bench by the Court below if (i) the trial Court finds that the applicant suppressed filing or pendency of any other application for grant of bail before this court or the Hon'ble Apex Court intentionally, (ii) the applicant does not cooperate in the trial; (iii) the applicant is found to be involved in any offence of the like nature; (iv) the trial Court finds that the applicant remains absent without any sufficient and cogent reason. If bail is cancelled automatically in view of above, the Court below may proceed further under the provisions of law under intimation.
8. CC as per rules.

Sd/-
(Chandra Bhushan Bajpai)
Judge

Pathak