

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1604 of 2017**

Balla @ Bedu Chandrakar S/o Ramgopal Chandrakar, Aged About 48
Years R/o Village Murra, Police Station Ranchirai, District Balod
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Ranchirai, District Balod Chhattisgarh

---- Respondent

For applicant	Mr. B.P. Singh, Adv.
For Respondent/State	Mr. Vasim Miyan, PL

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****03/04/2017**

1. Heard finally.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.12/2017 registered in PS Ranchirai, Distt. Balod for offence punishable under Section 34 sub-section (2) of the CG Excise Act,
3. Learned counsel for the applicant submits that as per allegation, 34.040 bulk litre duty paid liquor was seized from the house of the applicant. He is the first offender. He is in jail since more 1 and half months. He submits that if he is granted bail he will not repeat the crime.
4. Per contra, learned counsel for the State submits that earlier also against the applicant, two matters under Section 34 sub-section (1) of the CG Excise Act have been registered against him. His bail application may be rejected as he has criminal antecedent.
5. On due consideration, so as to grant one more opportunity, I am inclined to grant bail to the applicant. Consequently, instant MCRC is allowed. The applicant is directed to be released on bail on his

furnishing a personal bond in the sum of Rs. 25,000/- with one solvent surety of the like sum to the satisfaction of the CJM, Balod CG for his appearance before the said Court regularly as and when directed by the said Court.

6. 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.
7. CC as per rules.

Sd/-
(Chandra Bhushan Bajpai)
Judge