

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1669 of 2017**

Rameshwar Sahu S/o Jhadirm Sahu, Aged About 35 Years R/o Village Parsada (Semariya), Police Station- Arang, District- Raipur, Chhattisgarh.(Detail Of Applicant As Per Remand Form)

---- Applicant

Versus

State Of Chhattisgarh Through: Station House Officer, Police Station- Arang, District- Raipur, Chhattisgarh.

---- Respondent

For applicant	Mr. C.R. Sahu, Adv.
For Respondent/State	Mr. Sumit Jhanwar, GA

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

1. The applicant has been arrested on 4-2-2017 for offence under Section 34 sub-section (2) of the CG Excise Act in connection with Crime No. 69/2017 registered in PS Arang, Distt. Raipur. Charge sheet is not yet filed.
2. Learned counsel for the applicant submits that as per allegation, the applicant was found in illicit possession of 5.940 liter of foreign liquor duty paid. He has not committed any similar offence and will not commit such offence in future. He may be granted bail.
3. On the other hand, learned State counsel opposes bail application. However he fairly concedes that there is no criminal antecedent of the applicant prior to the incident.
4. On due consideration, I am inclined to allow instant MCRC. 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 trial Court i.e. JMFC, Raipur, CG for his appearance regularly as and when directed by the said Court.

5. 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.
6. CC as per rules.

Sd/-
(Chandra Bhushan Bajpai)
Judge