

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1713 of 2017

Bandhuram Banjare S/o Hiranman Banjare, Aged About 34 Years Caste Satnami, R/o Village Sevati, Tendukona (Bundeli Chowki), Tahsil Pithora, Police Station Tendukona, Civil & Revenue District Mahasamund, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Police Station Tendukona, Civil & Revenue District Mahasamund, Chhattisgarh.

---- Respondent

For applicant	Mr. Punit Ruparel, Adv.
For Respondent/State	Mr. Ashok Swarnkar, PL

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order On Board

28/03/2017

1. Heard finally.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 13/2017 registered in PS Tendukona, Distt. Mahasamund, CG for offence punishable under Section 34(2) of the CG Excise Act.
3. Learned counsel for the applicant submits that as per allegations, 15 litre of illicit country liquor was seized from possession of the applicant. He is the first offender therefore bail may be granted to him.
4. Learned State counsel opposes the bail application. However he fairly concedes that as per case diary, there is no criminal antecedent of the applicant of the like offence.
5. Perused the case diary.
6. On due consideration, as no case of the like offence is registered against the applicant, I am inclined to allow instant MCRC.

7. 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 Judicial Magistrate First Class, Pithora, Distt. Mahasamund, CG for his appearance before the said Court regularly as and when directed by the said Court.
8. 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.
9. CC as per rules.

Sd/-
(Chandra Bhushan Bajpai)
Judge