

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1796 of 2017**

Sajid Tigala S/o Mohd. Yunus Tigala, Aged About 28 Years R/o Sanjay Nagar, Madni Chowk, Raipur, District Raipur Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Telibandha, Raipur, District Raipur Chhattisgarh

---- Respondent

For applicant	Mr. Keshav Narayan, Adv.
For Respondent/State	Mr. Sumit Jhanwar, 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 on 8-2-2017 in connection with Crime No. 60/2017 registered in PS Telibandha, Distt. Raipur CG for offence punishable under Section 34 sub-section (2) of the CG Excise Act. Charge sheet has been filed before the Chief Judicial Magistrate, Raipur.
3. Learned counsel for the applicant submits that as per allegation 6.300 litre foreign liquor has been seized from the conscious possession of the applicant. He is first offender. No criminal antecedent has been reported in the case diary. He will not repeat the offence if granted bail.
4. Per contra, learned State counsel opposes the bail application and submits that as per facts surfaced in the case diary, earlier in the year 2015 offence under Section 379, IPC had been registered but he is not in a position to state the crime number.
5. Perused the case diary.
6. 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 CJM, Raipur for his appearance before the said Court regularly as and when directed.

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 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