

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1900 of 2017

1. Anil Kumar S/o Santanu Dhritlehre, Aged About 24 Years, R/o Ward No. 14, Nagar Panchayat, Lavan, Chauki- Lavan, Thana- Kasdol, District Baloda Bazar, Chhattisgarh.

---- Applicant

Versus

1. State of Chhattisgarh Through The Police Chauki Lavan, Police Station Kasdol, District Baloda Bazar, Chhattisgarh.

---- Non-applicant

For Applicant – Ms. Prachi Agrawal, Advocate.

For Non-applicant/State – Mr. Wasim Miyan, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

06-04-2017

1. Heard the matter finally.
2. Learned counsel for the applicant would submit that the applicant held arrested in connection with Crime No.60/2017 by P.S. Kasdol, District Baloda Bazar, C.G. for the offence under Section 34(2) of the C.G. Excise Act on 23-02-2017. Charge sheet has yet not been filed. The applicant is in custody as directed by the CJM Baloda Bazar, C.G. As per the allegation, he was in illicit possession of illegal country liquor of 6 liters. He may be granted bail.
3. Per contra, learned counsel for the non-applicant/State opposed the argument advanced on behalf of the applicant and fairly submitted that Kasdol police has not shown any earlier involvement of the applicant for the similar offences.
4. Perused the matter.
5. On due consideration, I am inclined to grant one opportunity to the applicant. Consequently, the 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.25,000/- with one solvent surety of the like sum to the satisfaction of the Chief Judicial Magistrate Baloda Bazar, C.G. for his appearance before the

said trial Court as and when directed till conclusion of the said trial.

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; and (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. Certified copy as per rules.

Sd/-

(Chandra Bhushan Bajpai)
JUDGE