

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1874 of 2017**

Chandilal Mongre S/o Nirgun Mongre, Aged About 41 Years Caste
Ghasiya, R/o Village Lati, Police Station & Tahsil Saraipali, District
Mahasamund, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Excise Officer, Excise Circle, Saraipali,
District Mahasamund, Chhattisgarh.

---- Respondent

For applicant	Mr. Vikas Pradhan, Adv.
For Respondent/State	Mr. Sumit Jhanwar, PL

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

1. Heard finally.
2. The applicant has preferred this application for grant of bail as he is arrested on 24-2-2017 in connection with Crime No. 244/2017 registered in Excise Circle Saraypali, Distt. Mahasamund for offence punishable under Section 34 sub-section (2) of the CG Excise Act. Charge sheet has been filed before the Chief Judicial Magistrate, Mahasamund as Criminal Case No. 498/2017.
3. Learned counsel for the applicant submits that the applicant is the first offender with no criminal antecedent. As per allegation, he was found in illegal possession of 16 ltrs of liquor. If granted bail, he will not repeat the offence.
4. Learned counsel for the State opposes the bail application. However he fairly concedes that there is no criminal antecedent reported in the case diary.
5. Perused the case diary.
6. On due consideration, as there is no criminal antecedent reported in the case diary against the applicant, 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. 30,000/- with one solvent surety of the like sum to the satisfaction of the Chief Judicial Magistrate, Mahasamund CG for his appearance before the said Court regularly as and when directed by the said Court.

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