

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1944 of 2017**

Indra Kumar Kurre S/o Prabhulal Kurre, Aged About 27 Years R/o
Village Amsena, Post Office & Police Station Arang, District Raipur,
CG.

---- Applicant

Versus

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

---- Respondent

For applicant	Mr. Shivendu Pandya, Adv.
For Respondent/State	Mr. Anant Bajpai, PL.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****10/04/2017**

1. Heard finally.
2. The applicant has preferred this application for grant of bail as he is arrested on 6-2-2017 in connection with Crime No. 78/2017 registered in PS Arang, Distt. Raipur (CG) for offence punishable under Section 34 sub-section (2) of the CG Excise Act. Charge sheet has been filed before JMFC, Raipur which is registered as Criminal Case No. 2303/2017.
3. Learned counsel for the applicant submits that the applicant is the first offender. No criminal antecedent is reported by the police in the case diary. As per prosecution case, the applicant was found in conscious possession of 6.480 bulk litre liquor without any licence or permission. If bail is granted, he will not repeat the offence. Therefore, the applicant may be enlarged on bail.
4. Learned State counsel opposes the bail application. However he fairly conceded that no criminal antecedent of the applicant is reported in the police case diary.
5. Perused the matter.

6. On due consideration, as the applicant is the first offender with no criminal antecedent, 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 JMFC, Raipur 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 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