

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2060 of 2017

1. Kartikram Sahu S/o Late Bholaram Sahu, Aged About 46 Years, R/o Village Balamgoda, Tahsil & District Raigarh, Chhattisgarh.

---- Applicant

Versus

1. State of Chhattisgarh Through The Station House Officer, Kotra Road, District- Raigarh, Chhattisgarh.

---- Non-applicant

For Applicant – Shri Manoj Kumar Jaiswal, Advocate.

For Non-applicant/State – Shri N.K.Mehta, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

18-04-2017

1. Heard the matter finally.
2. Learned counsel for the applicant would submit that the applicant held arrested in connection with Crime No.44/2017 on 11-03-2017 by Kotra Road police, District Raigarh, C.G. for the offence under Section 34(2) of the C.G. Excise Act, 2015. Police had filed the charge sheet after investigation which is registered as Criminal Case No.155/2017 pending before the CJM Raigarh, C.G. The applicant is first offender. This is the first bail application. He will not commit any offence in future. He may be enlarged on bail during trial. As per the allegation, 8.640 liter country liquor has been seized from the possession of the applicant.
3. Per contra, learned counsel for the non-applicant/State opposed the argument advanced on behalf of the applicant though fairly submitted that there is no earlier criminal antecedent of the applicant.
4. Perused the material.
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 Raigarh, C.G. for his appearance before the said trial Court as and when directed.

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