

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2198 of 2017

1. Bijli Jangde D/o Shri Budhelal Jangde, Aged About 21 Years, R/o Village Kanki, Police Station- Kharora, Raipur, Tahsil & District- Raipur, Chhattisgarh.

---- Applicant

Versus

1. State of Chhattisgarh Through Police Station Kharora, District- Raipur, Chhattisgarh

---- Non-applicant

For Applicant – Shri C.R.Sahu, Advocate.

For Non-applicant/State – Shri Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

19-04-2017

1. Heard the matter finally.
2. Learned counsel for the applicant would submit that the applicant held arrested in connection with Crime No.67/2017 by P.S. Kharora, District Raipur, C.G. for the offence under Section 34(2) of the C.G. Excise Act, 1915 on 18-03-2017. Charge sheet has not yet been filed. The applicant is remanded by the JMFC Raipur, C.G. This is the first bail application. No any earlier criminal antecedent is reported. She will not commit any offence in future. She may be enlarged on bail during trial.
3. Per contra, learned counsel for the non-applicant/State opposed the argument advanced on behalf of the applicant on the basis of the quantity of liquor 34.560 M.L. seized from the conscious possession of the applicant, though fairly submitted that the applicant was not involved in any other criminal offence.
4. Perused the matter.
5. On due consideration, as the applicant is a woman aged about 21 years student of B.A. final year, she is in jail for more than a month, no any other

criminal antecedent was reported and as submitted she will not involve now in any other offence, I am inclined to grant one opportunity to the applicant so that she remain in society without committing any similar or other offence. Consequently, the instant MCRC is hereby allowed. The applicant is directed to be released on bail on her furnishing a personal bond in the sum of Rs.50,000/- with one solvent surety of the like sum to the satisfaction of the Judicial Magistrate First Class Raipur, C.G. for her 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