

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2292 of 2017**

Smt. Kusum Ratre W/o Gora Lal Ratre Aged About 50 Years R/o
Hichchha, Police Station & Tahsil Sarangarh, District Raigarh,
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through: Station House Officer, Police Station
Sarangarh, District Raigarh, Chhattisgarh.

---- Respondent

For applicant	Ms. Pushplata Khalkho, Adv.
For Respondent/State	Mr. Sumit Jhanwar, PL.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****26/04/2017**

1. Heard finally.
2. The applicant has preferred this application for grant of bail as she is arrested on 7-3-2017 in connection with Crime No. 88/2017 registered in PS Sarangarh, Distt. Raigarh for offence punishable under Section 34 sub-section (2) of the CG Excise Act, 1915.
3. Learned counsel for the applicant submits that after investigation charge sheet has been filed which is pending before CJM, Raigarh as Criminal Case No. 148/2017. The applicant is the first offender. As per prosecution case, 10 bulk litre hand made country liquor has been seized from the conscious possession of the applicant without any licence or permission. If bail is granted, she 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 and she is a woman, I am inclined to grant one opportunity to the applicant to live in the society without committing any crime. Consequently, instant MCRC is allowed. The applicant is directed to be released on bail on her furnishing a personal bond in the sum of Rs. 30,000/- with one solvent surety of the like sum to the satisfaction of the CJM, Raigarh CG for her 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