

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2390 of 2017**

1. Saganlal Ravte S/o Sukhram Ravte, Aged About 38 Years R/o Village Markaili Thana Manpur, District Rajnandgaon Chhattisgarh
2. Vimal Tulavi, S/o Kacharuram, Aged About 32 Years R/o Village Konde, Thana Manpur, District Rajnandgaon Chhattisgarh

---- Applicants**Versus**

State Of Chhattisgarh Through Police Station Manpur, District
Rajnandgaon Chhattisgarh

---- Respondent

For applicants	Mr. Sameer Singh, Adv.
For Respondent/State	Mr. Arvind Shukla, PL

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****02/05/2017**

1. Heard finally.
2. The applicants have preferred this application for grant of bail as they are arrested on 30-3-2017 in connection with Crime No. 22/2017 registered in PS Manpur, Distt. Rajnandgaon (CG) for offence punishable under Section 34 sub-section (2) of the CG Excise Act.
3. Learned counsel for the applicants submits that charge sheet is not yet filed and the applicants are remanded by the CJM, Rajnandgaon. The applicants are languishing in jail since last 1 month and 3 days. As per allegation, both the applicants were transporting 9 bulk litre foreign liquor. A-1 was driving the motorcycle bearing registration No. CG 07 L 1776 and A-2 was holding said liquor. Police has seized the motorcycle and the liquor from both the applicants. They are first offender. They will not commit any similar offence in future. Therefore, they may be granted bail.
4. Per contra, learned State counsel opposed the bail application however fairly submits that no criminal antecedents is reported in the case diary against the applicants.

5. Perused the material available.
6. On due consideration, looking to the quantity of the liquor and period of detention of the applicants, I am inclined to allow the application. Consequently, instant MCRC is allowed. The applicants are directed to be released on bail on each of them 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 Rajnandgaon for their appearance before the said trial Court till disposal of the trial regularly as and when directed by the said Court.
7. It is made clear that this order granting bail to the applicants shall stand cancelled automatically without reference to the bench by the Court below if (i) the trial Court finds that the applicants suppressed filing or pendency of any other application for grant of bail before this court or the Hon'ble Apex Court intentionally, (ii) the applicants do not cooperate in the trial; (iii) the applicants are found to be involved in any offence of the like nature; (iv) the trial Court finds that the applicants remain 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