

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2446 of 2017**

Sudama Verma S/o Late Muktinand Verma, Aged About 49 Years R/o Village Revti, Police Station Satahwar, District Baliya, UP.

Present R/o Village Belhari, House Of Alkhupal, Police Station Ranitarai, Tehsil Patan, District Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through District Magistrate, District Durg, CG.

---- Respondent

For applicant	Mr. A.C. Sahu, Adv.
For Respondent/State	Mr. Anant Bajpai, PL

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****3/5/2017**

1. Heard finally.
2. The applicant has preferred this application for grant of bail as he is arrested on 14-2-2017 in connection with Crime No. 28/2017 registered in PS Ranitarai, Distt. Durg for offence punishable under Section 34 sub-section (2) of the CG Excise Act.
3. Learned counsel for the applicant submits that charge sheet is not filed, the applicant is remanded by the JMFC Patan, Distt. Durg. He will not commit any offence in future if granted bail. He may be granted bail as the trial may take time. As per allegation, 17 bulk litre liquor has been seized from the conscious possession of the applicant without any licence or permission. Police also seized 30.600 bulk litre liquor from co-accused Sonu Verma. Looking to the fact that from the applicant 17 bult litre liquor is seized, he may be enlarged on bail.
4. Learned State counsel opposes the bail application and submits that both the applicants were engaged in illegal trade of liquor. The police has seized liquor separately from both the accused but looking to the entire circumstances, MCRC may be dismissed.

5. Perused the matter.
6. As the applicant is in custody for more than 2 and half months till date under the authority of JMFC Patan and looking to the quantity seized from the applicant and as submitted he is not involved in any offence earlier, I am inclined to grant one opportunity to the applicant to live peacefully in the society without committing any crime. 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. 50,000/- with two solvent sureties each of Rs. 25,000/- to the satisfaction of the JMFC Patan, Distt Durg 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