

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2550 of 2017**

Janki Bai W/o Dewadas Dhritlahre, Aged About 55 Years R/o Village Diggi, Police Station Bhatapara (Rural) District (Revenue & Civil) Baloda Bazar Bhatapara, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Bhatapara (Rural), District (Revenue & Civil) Baloda Bazar Bhatapara, Chhattisgarh.

---- Respondent

For applicant	Mr. Sumit Jhanwar, Adv.
For Respondent/State	Mr. Vasim Miyan, PL.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****8/5/2017**

1. Heard finally.
2. The applicant has preferred this application for grant of bail as he is arrested on 3-4-2017 in connection with Crime No. 128/2017 registered in PS Bhatapara (Rural), Distt. Baloda Bazar, Bhatapara 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 CJM Baloda Bazar. The applicant is a woman. She will not commit any offence in future if granted bail. She may be granted bail as the trial may take time. As per allegation, 72 bulk litre liquor has been seized from the conscious possession of the applicant without any licence or permission. Therefore, the applicant may be enlarged on bail.
4. Per contra, learned State counsel opposes the bail application and submits that looking to the quantity of liquor seized, the bail application may be dismissed. However he submits that no criminal antecedent is reported against the applicant.

5. Perused the matter.
6. On due consideration, as the applicant is a woman, she is in jail for 1 month and 5 days, trial may take some time and as no matter has been registered against the applicant earlier, though the quantity of the liquor seized is on higher side but I am inclined to grant one more 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 her furnishing a personal bond in the sum of Rs. 1,00,000/- with two solvent sureties each of Rs. 50,000/- to the satisfaction of the CJM, Baloda Bajar 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