

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2847 of 2017**

- Smt. Rani Verma S/o Shri Vinod Verma, Aged About 32 Years
R/o Village Naharpara, Police Station Sipat, Civil And Revenue
District Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Excise Circle Sipat District
Bilaspur Chhattisgarh

---- Respondent

For Applicant	: Smt. Seema Singh, Advocate
For Respondent/State	: Shri Sumit Jhawar, PL

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****18.5.2017**

1. Heard the matter finally.
2. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with crime No.179/2017, registered at Police Station Sipat, Distt. Bilaspur(CG) for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act, 1915.
3. Learned counsel for the applicant submits that charge sheet has been filed against the applicant showing her as absconding and thereafter, non-bailable warrant of arrest has been issued and the applicant is arrested on 23.3.2017 till then she was in custody.

The matter is pending before CJM, Bilaspur(CG) as Cr. Case No. 443/2017. As per allegations from the applicant 10 bulk liters of country liquor handmade has been seized and during investigation, the applicant fled away from the spot hence, charge sheet has been filed showing the applicant as absconding. She further submits that the applicant is woman and first offender, she will not commit any offence in future and trial will take some time, therefore, the applicant may be released on bail

4. On the other hand, learned counsel for the State opposes the bail application on the basis of entire conduct of the applicant and also as 2 preventive proceedings have been initiated against the applicant in the year 2011 and 2016.

5. I have heard the counsel appearing for the parties and perused the material.

6. Without commenting on merits, though the applicant absconded from the spot on 13.9.2016 and police had seized 10 bulk liters handmade country liquor from the spot i.e. house of the applicant but, ultimately she was arrested and presently she is in custody since 1 month and 26 days; trial may take some time and the applicant was never involved in any similar offence and though 2 matters of preventive proceedings have been initiated, I am inclined to grant last opportunity to the applicant so that she

may not involve in any of the offence and shall remain in the society peacefully.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the C.J.M. Bilaspur for her appearance before the said trial Court as and when directed till trial.

9. 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 the above , the Court below may proceed further under the provisions of law, under intimation.

Certified copy as per rules.

**Sd/
(Chandra Bhushan Bajpai)
JUDGE**

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