

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 4220 of 2017**

Laxmin Bai Gond W/o Shri Ajit Kumar Gond, Aged About 30 Years R/o Korkoti Sawariya Dera, Police Station Bilaigarh, Civil & Revenue District Baloda Bazar Bhatapara, Chhattisgarh.

**---- Applicant****Versus**

State Of Chhattisgarh Through The Station In Charge, Police Station Bilaigarh, District Baloda Bazar Bhatapara, Chhattisgarh.

**---- Respondent**


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| For applicant        | Mr. Jitendra Shrivastava, Adv.    |
| For Respondent/State | Mr. U.K.S. Chandel, Panel Lawyer. |

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**Hon'ble Shri Justice Chandra Bhushan Bajpai****Order On Board****12-7-2017**

1. Heard on I.A. No. 1/2017 for urgent hearing.
2. Learned counsel for the applicant submits that the applicant is carrying pregnancy of about 8 months and she is expected to deliver a child in near future. Looking to the advance stage of pregnancy she may be heard urgently. In support, photo copy of a certificate is annexed and as per said certificate, the applicant became pregnant on about 10-12-2016 and expected date of delivery is 17-9-2017.
3. On due consideration, IA. N0. 1/2017 is allowed.
4. The matter is heard finally.
5. The applicant has preferred this application for grant of bail as she is arrested on 30-5-2017 in connection with Crime No. 221/2017 registered in PS Bilaigarh, Distt. Balodabazar Bhatapara for offence punishable under Section 34 sub-section

(2) of the CG Excise Act, 1915.

6. Learned counsel for the applicant submits that after investigation charge sheet has been filed and the same is pending before the CJM Baloda Bajar as Cri. Case No. 430/2017. This is her first bail application before this Court. She is first offender. As per allegation, 9 bulk litre country liquor has been seized from the conscious possession of the applicant without any licence or permission. She will not commit any offence in future if granted bail. She may be granted bail as the trial may take time.
7. Per contra, learned State counsel opposes the bail application on the basis of the quantity of the liquor so seized in the matter. However he fairly concedes that no criminal antecedent of the applicant is reported by the police in the case diary.
8. Perused the matter.
9. On due consideration, as the applicant is the first offender, she is in jail since 1 month and 14 days till date, charge sheet has been filed, trial may take some time, the applicant is in advanced stage of pregnancy, 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 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 Baloda Bajar, Distt. Baloda Bajar Bhatapara CG for her appearance before the said Court regularly as and when directed by the said Court.
10. 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.

11.Certified copy today.

**Sd/-  
(Chandra Bhushan Bajpai)  
Judge**

Pathak