

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 5014 of 2017**

- Smt. Butki, W/o Dharamdas, Aged About 40 Years, R/o Beside Ganesh Resort, Aamaguda, Lalbahadur Sashtri Ward No. 8, Jagdalpur, District- Bastar, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station- Kotwali, Jagdalpur, District- Bastar, Chhattisgarh.

---- Respondent

For Applicant : Shri Ravi Kumar Bhagat, Advocate.
 For Respondent/State : Shri Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****28.08.2017**

Heard the matter finally.

2. The applicant have preferred this application for grant of bail as he was arrested on 11/07/2017, in connection with Crime No. 284/2017, registered in Police Station Kotwali, Distt. Basatar (C.G.) for offence punishable under Section 34(2) of the Chhattisgarh Excise Act 1915.

3. Learned counsel for the applicant submits that after investigation police had filed charge-sheet which is pending before the Chief Judicial Magistrate, Jagdalpur, Distt. Bastar (C.G.) as Criminal Case No. 1189/17 Learned counsel for the applicant would further submit that applicant is a woman and she is the first offender and no criminal antecedent has been reported against her. As per

the allegation, from the applicant 6 bulk litre of country liquor has been seized. The applicant will not commit any offence in future, as the trial may take some time for its conclusion, he may be enlarged on bail till trial.

4. Per Contra, learned counsel for the respondent/State opposes the arguments advanced on behalf of the applicant, fairly submits that he had no criminal antecedent.

5. Perused the matter.

6. As the applicant is the first offender, she is in custody for 1 month 17 days till date, charge-sheet has been filed, trial may take some time, and there is no material in criminal antecedent, applicant is aged about 40 years, after consideration on entire facts, I am inclined to grant one opportunity to the applicant so that he will not commit any offence in future and shall remain peacefully in the society without committing any crime.

7. Consequently, instant MCRC is allowed.

8. The applicants are directed to be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one solvent surety of like some amount to the satisfaction of the Chief Judicial Magistrate Jagdalput, Bastar (C.G.), for his appearance before the said Court regularly as and when directed by the said Court for their appearance before the said Court regularly as and when directed by the said Court.

9. 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 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 applicants remains absent without any sufficient and cogent reason.

10. Certified Copy as per rules.

Sd/-
(Chandra Bhushan Bajpai)
Judge