

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6027 of 2017

- Jitu Alias Jitendra Solanki S/o Shivilal Solanki Aged About 30 Years
R/o Sadar Bazar, Durg District Durg Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate, Durg, Police Station
Durg, District Durg Chhattisgarh

---- Respondent

For Applicant
For Respondent/State

Shri Tarun Dadsena, Advocate
Shri Sameer Behar, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

23/10/2017

1. Heard.
2. The applicant has preferred this third bail application filed under Section 439 of the Cr.P.C. for grant of regular bail as he is arrested in connection with crime No.312/2013 registered in police station Mohan Nagar, Durg, Dist. Durg (CG) for the offence punishable under Section 34 (2) of the Chhattisgarh Excise Act for illegally possessing 5.040 liters of illicit liquor.
3. The first bail application bearing M.Cr.C.No.4140 of 2013 was allowed by this Court on 10-9-2013. The applicant, thereafter, failed to appear before the trial Court, therefore, the bail bond

was cancelled and was re-arrested on 27-6-2017. Subsequently, the applicant preferred second bail application bearing M.Cr.C.No.4879 of 2017, which was dismissed for want of prosecution on 1-9-2017.

4. Considering the fact that the applicant is in detention since 27-6-2017 on account of his re-arrest and was found to be in possession of illicit liquor measuring 5.040 bulk liters only, this Court is inclined to release him on bail. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.
5. It is made clear that if the applicant involves himself in the offence of similar nature in future, this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-

Judge
Prashant Kumar Mishra

Gowri