

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1024 of 2019**

- Nirmal Chand Jain S/o Anopchand Jain Aged About 55 Years R/o Ranvirpur, P.S. Lohara, District Kabirdham Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Lohara District Kabirdham Chhattisgarh

.....Non Applicant

For the Applicant : Shri Rahil Kochar, Advocate

For Non Applicant : Shri SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**25.02.2019**

1. This is second bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court. No other bail application is pending before any other Court.
2. Earlier, the first bail petition was rejected by this Court on 23.01.2019 in MCRC No.627 of 2019, considering the material available on record against the applicant and looking to this fact that 4 other criminal cases have been registered against him.
3. Perused the case diary provided by the learned counsel for the State in connection with Crime No.10/2019 registered at Police Station- S. Lohra, District- Kabirdham (C.G.) for the offence punishable under Section 34(2) of the CG Excise Act.
4. Counsel for the applicant submitted that only 3 other criminal cases have been registered against the applicant, out of which 2 under Cr.P.C. and 1 under IPC. He further submitted that earlier during the counting of the cases registered against the applicant, wrongly this case was included in said 4 cases.
5. Govt. Advocate submitted that it is true that instead of 4 other criminal cases, 3 criminal cases have been registered against the applicant, out of which 2 under Cr.P.C. and 1 under IPC. Earlier, it was wrongly mentioned that 4 other criminal cases have been registered against the applicant.
6. Looking to the aforesaid facts and circumstances of the case, looking to this fact that 3 other criminal cases have been registered against the applicant instead of 4 cases, this Court finds that these circumstances are sufficient to enlarge the applicant on bail in second round of litigation. Consequently, the second bail application of applicant is allowed, It is ordered that if applicant furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs.50,000/- to the satisfaction of the concerned Trial Court with the condition that he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)

Judge

Parul