IN THE HIGH COURT OF MADHYA PRADESH AT INDORE

BEFORE

HON'BLE SHRI JUSTICE PREM NARAYAN SINGH

ON THE 2nd OF FEBRUARY, 2024

MISC. CRIMINAL CASE No. 2122 of 2024

BETWEEN:-

SUNIL @ SONARIYA S/O BHAYALA,
AGED ABOUT 26 YEARS, OCCUPATION: LABOR
R/O GRAM SINDIKHODRI TEHSIL PATI
DISTT. BARWANI (MADHYA PRADESH)

.....APPLICANT

(SHRI ASHISH GUPTA - ADVOCATE)

AND

THE STATE OF MADHYA PRADESH
STATION HOUSE OFFICER THROUGH
POLICE STATION SILWAD DISTT. BARWANI
(MADHYA PRADESH)

.....RESPONDENTS

(SHRI AJAY RAJ GUPTA - PANEL LAWYER)

This application coming on for admission this day, the court passed the following:

ORDER

They are heard and perused the case diary.

This is the first bail application under Section 439 of the Code of Criminal Procedure filed on behalf of the applicant for grant of bail in connection with Crime No.3/2024, registered at Police Station-Silwad District-Barwani (M.P.), for the offence under Sections 34(2) of M.P. Excise Act. The applicant is in custody since 03.01.2024.

(2) As per prosecution story, 58 bulk liters illicit liquor is said to be seized from the applicant.

Signature Not Verified
Signed by: SUMATHI
Signing time: 03-02-2024 16:17:29

(3) Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated in this case.He is in jail since 03.01.2024. The case is triable by Judicial Magistrate First Class and conclusion of trial will take a long time. Under these circumstances, applicant counsel prays for grant of bail.

(4) Learned counsel for the respondent/State opposes the bail application and prays for its rejection by submitting that the applicant is having criminal record of two cases.

(5) After hearing learned counsel for the parties and looking to the facts and circumstances of the case and quantity of the liquor, I am of the view that it is a case, in which applicant may be released on bail. Consequently without commenting on the merits of the case, first bail application under Section 439 of the Code of Criminal Procedure for grant of bail filed on behalf of applicant, stands **allowed.**

(6) It is directed that the applicant/accused be released on bail on his furnishing a personal bond in the sum of **Rs.50,000/- (Fifty Thousand only)** with one solvent surety in the like amount to the satisfaction of the trial Court for securing his presence before the said Court on all the dates of hearing fixed in this regard during trial. It is also directed that the applicant shall comply with the provisions of Section 437(3) of the Cr.P.C.

(7). This order shall be effective till the end of the trial. However, in case o f bail jump and breach of any of the conditions of bail, it shall become ineffective.

Certified copy as per rules.

Signature Not Verified
Signed by: SUMATHI
Signing time: 03-02-2024 16:17:29

(PREM NARAYAN SINGH)
JUDGE

sumathi

Signature Not Verified
Signed by: SUMATHI
Signing time: 03-02-2024 16:17:29