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. 3383 of 2024

BETWEEN:-

JOJANSINGH S/O HOKAMSINGH,
AGED ABOUT 23 YEARS,
OCCUPATION: LABOUR
R/O. ROYAL TOWN PITHAMPUR
DISTT. DHAR (MADHYA PRADESH)

.....APPLICANT

(SHRI AHMAD DARBARI - ADVOCATE)

AND

THE STATE OF MADHYA PRADESH
STATION HOUSE OFFICER THROUGH
POLICE STATION EXCISE CIRCLE SAGOR
DISTT. DHAR (MADHYA PRADESH)

.....RESPONDENTS

(SHRI SURENDRA GUPTA - GOVT. ADVOCATE)

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

ORDER

Heard and perused the case-diary.

This is the first application filed by the applicant under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail in connection with FIR / Crime No.1024/2024 registered at Police Station - Excise Circle, Sagor, District - Dhar for commission of offence punishable under Section 34(2) of the M.P. Excise Act. The applicant is in custody since 13.01.2024.

02. As per prosecution story, the present applicant said to have been

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Signing time: 03-02-2024 16:17:29

found in possession of 63 bulk litres of country made liquor without having any valid license.

03. Learned counsel for the applicant submits that the present applicant is an innocent person and he has falsely been implicated in this case. The applicant is in jail since 13.01.2024. The case is triable by Judicial Magistrate First Class and final conclusion of trial will take sufficient long time. Therefore, the application filed by the applicant be allowed and the applicant may be enlarged on bail.

04. Learned Panel Lawyer for the respondent / State has opposed the application and prayed for its rejection.

0 5 . Considering the nature of accusation, totality of facts and circumstances of the case and without expressing any opinion on the merits of the case, I deem it proper to enlarge the applicant on bail. Accordingly, the application filed by the applicant is allowed.

06. It is directed that the applicant be enlarged on bail upon his furnishing personal bond in the sum of **Rs.50,000/- (Rupees Fifty Thousand Only)** with one solvent surety of the like amount to the satisfaction of the trial Court with a further direction to appear before the concerned Court on the date fixed in this regard. The applicant shall also abide by the conditions as enumerated under Section 437(3) of the Cr.P.C.

07. The present order shall be effective till the end of the trial, however, in case of bail jump or any breach of aforesaid conditions of this order, the same shall become ineffective.

Certified copy, as per Rules.

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(PREM NARAYAN SINGH)
JUDGE

sumathi

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