IN THE HIGH COURT OF MADHYA PRADESH AT INDORE

BEFORE

HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA

ON THE 2nd OF FEBRUARY, 2024

MISC. CRIMINAL CASE No. 4108 of 2024

BETWEEN:-

LOKESH BANCHADA S/O GOVIND JI BANCHADA, AGED ABOUT 30 YEARS, OCCUPATION: AGRICULTURE VILLAGE HADIPIPLIYA, TEHSIL MANASA, DISTT. NEEMUCH (MADHYA PRADESH)

.....APPLICANT

(BY SHRI SUBODH CHOUDHARY, ADVOCATE)

AND

THE STATE OF MADHYA PRADESH THROUGH POLICE STATION MANASA, DISTT. NEEMUCH (MADHYA PRADESH)

.....RESPONDENT

(BY SHRI SANTOSH SINGH THAKUR - PUBLIC PROSECUTOR)

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

ORDER

This is first application under Section 439 of the Cr.P.C. filed on behalf of the applicant in connection with Crime No.511/2018 registered at Police Station - Manasa, district Neemuch (M.P.) under Sections 34(2) of the M.P. Excise Act.

2. As per prosecution case, from the joint possession of applicant and co-accused, 240 bulk liters illicit liquor has been seized.

3. Counsel for the applicant submits that applicant is in jail since 12.1.2024. Investigation is over, and chargesheet has been filed. Applicant is

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not required for further custodial interrogation. In these circumstances, the applicant be released on bail.

4. Counsel for the State opposes the prayer for grant of bail on the ground that one criminal case of same nature is registered against the applicant.

5. After hearing learned counsel for parties and taking into consideration that investigation is completed and chargesheet has been filed, I am of the view that the applicant is entitled for grant of bail. Therefore, without expressing any view on the merits of the case, the application is allowed.

6. It is directed that Applicant- Lokesh shall be released from custody upon furnishing a personal bond of Rs.50,000/- (Rupees Fifty Thousand Only) with one surety of the like amount to the satisfaction of the court below with the following further conditions :-

(i) that applicant shall not indulgence in any offence during the bail and if he indulges in any offence during the bail, the prosecution may file anapplication for cancellation of bail.

(ii) the applicant shall mark his presence before the concerned police station on every 15th day of the month during the pendency of trial.

A typed copy of this order is being forwarded to the Office of the Advocate General, on their email address, for intimation to the Police Station concerned. The office is requested to forward a copy of this order to the court below.

C.c. as per rules.

(VIJAY KUMAR SHUKLA)
JUDGE

MK

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