IN THE HIGH COURT OF MADHYA PRADESH AT INDORE

BEFORE

HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA

ON THE 5th OF FEBRUARY, 2024

MISC. CRIMINAL CASE No. 4744 of 2024

BETWEEN:-

RAKESH S/O TANTYA WASKEL, AGED ABOUT 41 YEARS, OCCUPATION: LABOUR KHALTANKA, P.S. BALAKWADA, TEHSIL KASRAWAD, DISTT. KHARGONE (MADHYA PRADESH)

.....APPLICANT

(BY SHRI ASHISH GUPTA, ADVOCATE)

AND

THE STATE OF MADHYA PRADESH STATION HOUSE OFFICER THROUGH POLICE STATION BALAKWADA, DISTT. KHARGONE (MADHYA PRADESH)

.....RESPONDENT

(BY SHRI TARUN PAGARE - G.A.)

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

ORDER

This is first application under section 439 Cr.P.C. for grant of regular bail in connection with FIR No. 350/2023, registered at P.S. Balakwada, district Khargone for the offence under section 34(2) of the M.P. Excise Act.

2. As per prosecution case, 60 bulk liters illicit liquor has been seized from the possession of application.

3. Counsel for the applicant submits that applicant is innocent and he has falsely been implicated in the present crime. He is in jail since 25.8.2023. Investigation is over, chargesheet has been filed and conclusion of trial is likely

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to take time. In these circumstances, the applicant be released on bail.

4. Counsel for the State opposes the prayer for grant of bail, however he fairly submits that there is no criminal record of the applicant.

5. Taking into consideration that investigation is completed and chargesheet has been filed and applicant has no criminal record, 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- Rakesh 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.

7. 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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Signed by: MUKTA CHANDRASHEKHAR KOUSHAL
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