IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE PRAMOD KUMAR AGRAWAL

ON THE 2nd OF FEBRUARY, 2024

MISC. CRIMINAL CASE No. 1687 of 2024

BETWEEN:-

SARDAR SINGH S/O SHRI PHOOL SINGH RAJPUT OCCUPATION: LABOUR R/O PIPAIRYA DISTT. NARMADAPURAM (MADHYA PRADESH)

.....APPLICANT

(BY SHRI MANOJ KUSHWAHA - ADVOCATE)

AND

THE STATE OF MADHYA PRADESH THROUGH POLICE STATION PIPARIYA DISTRICT NARMADAPURAM (MADHYA PRADESH)

.....RESPONDENT

(BY SHRI PANKAJ TIWARI - PANEL LAWYER)

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

ORDER

This is the first bail application filed by the applicant under Section 439 of the Code of Criminal Procedure for grant of regular bail relating to Crime No.395/2023 registered at Police Station - Pipariya, District Narmadapuram (M.P.) for the offence punishable under Section 34(2) of M.P. Excise Act. Applicant is in detention since 09.09.2023.

2. As per the prosecution story, on receiving an information from an informant, 54 bulk liters of illicit liquor from possession of the applicant has been seized. FIR was registered.

3. Learned counsel for the applicant submitted that applicant is in jail

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since 09.09.2023. He has been falsely implicated. Investigation is complete. Charge sheet has been filed. The trial of the case will take considerable time. Therefore, it has been prayed that the applicant may be released on bail pending the trial.

4. On the other hand, learned counsel for State has opposed the grant of bail to the applicant on the ground of his criminal history.

5. Having taken into consideration all the facts and circumstances of the case, but without commenting on merit of the case, I am inclined to release the applicant on bail. Consequently, 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 applicant be released on bail on his furnishing a personal bond in the sum of **Rs.50,000/- (Rupees Fifty Thousand only)** with one solvent surety in the like amount to the satisfaction of the trial Court, for his regular appearance before the trial Court during trial with a condition that he shall remain present before the concerned Court on all the dates fixed by it during trial and he is further directed to mark his presence before the concerning Police Station on the dates i.e. 10th and 25th of every month and is directed to cooperate in trial. He shall abide by all the conditions enumerated under Section 437(3) of Cr.P.C. In case of breach of any of the aforementioned conditions, the bail granted by this Court shall stand rejected automatically.

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

Certified copy as per rules.

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(PRAMOD KUMAR AGRAWAL)
JUDGE

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