IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE DINESH KUMAR PALIWAL

ON THE 2nd OF FEBRUARY, 2024

MISC. CRIMINAL CASE No. 3489 of 2024

BETWEEN:-

KRISHNA BANSAL S/O SHRI SUKHAI BANSAL, AGED ABOUT 25 YEARS, OCCUPATION: LABOUR R/O MATHURA BASTI, POLICE STATION KOLGAWAN, DISTRICT SATNA (MADHYA PRADESH)

.....APPLICANT

(BY SHRI O.P. TRIPATHI - ADVOCATE)

AND

THE STATE OF MADHYA PRADESH THROUGH POLICE STATION EXCISE SATNA DISTRICT SATNA (MADHYA PRADESH)

.....RESPONDENT

(BY SHRI S.K. GUPTA - PANEL LAWYER)

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

ORDER

This first bail application under Section 439 of the Code of Criminal Procedure has been filed by the applicant for grant of regular bail in relation to FIR No. 483/2023, registered at Police Station Excise, Satna, District Satna (M.P.) for commission of offence under Section 34(2) of M.P. Excise Act. Applicant is in detention since 21.12.2023.

2. As per the prosecution story, on receiving an information from an informant, police of concerned police station seized 54 bulk liters of illegal liquor from possession of the applicant. FIR was registered. After

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investigation, charge sheet has been filed.

3. Learned counsel for the applicant has submitted that applicant is in jail since 21.12.2023. He has not committed any crime and nothing has been seized from his possession. He has been falsely implicated. Trial of the case will take considerable time. Therefore, it is prayed that applicant may be released on bail pending the trial.

4. On the other hand, learned counsel for the respondent/State has opposed grant of bail to the applicant.

5. Having taken into consideration all the facts and circumstances of the case and the fact that trial of the case will take considerable time, but without expressing anything on the merit of the case, I am inclined to release the applicant on bail. Consequently, this 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 - Krishna Bansal** 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. He shall abide by all the conditions enumerated under Section 437(3) of Cr.P.C.

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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(DINESH KUMAR PALIWAL)
JUDGE

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