

Sanjay Rawat Vs. State of M.P.**30.06.2015**

Shri Anand Purohit, Advocate for the applicant.

Shri B. P. S. Chauhan, Govt. Advocate for the respondent/State.

Heard on the bail application.

Perused the case diary

This is first application under Section 439 of Cr.P.C. The applicants have been arrested in Crime No. 76/2015 registered at Police Station, Mohna, District Gwalior, under Sections 34 (2) of Excise Act.

As per prosecution story, 56 bulk liters of country made illicit liquor alleged to have been seized from the possession of the applicant without having any license.

It is submitted by learned counsel for the applicant that applicant has not committed any offence. He has been falsely implicated in this case. It is further submitted that applicant is in custody since 29.05.2015. Trial will take some time. Therefore, the applicant be released on bail.

The application is opposed by learned Govt. Advocate for the State.

Considering the facts and circumstances of the case, but without commenting on the merit of the case, the application is

allowed. It is directed that the applicant **Sanjay Rawat** shall be released on bail on their furnishing 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 **Trial Court.**

This order will remain operative subject to compliance of the following conditions by the applicant :-

1. The applicant will comply with all the terms and conditions of the bond executed by him;
2. The applicant will cooperate in the investigation/trial, as the case may be;
3. The applicant will not indulge himself in extending inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to the Police Officer, as the case may be;
4. The applicant shall not commit an offence similar to the offence of which he is accused;
5. The applicant will not seek unnecessary adjournments during the trial; and
6. The applicant will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be.

A copy of this order be sent to the Court concerned for compliance.

C.c. as per rules.

(D.K.Paliwal)
Judge