

M.Cr.C.No.1780/2016

29/02/2016

Shri M.A.Mansoori, learned Counsel for the applicant.

Ms. Mini Ravindran, learned Counsel for the respondent/State.

This is first application under Section 439 of the Cr.P.C. The applicant has been arrested in Crime No. 31/2016 registered at Police Station Pipliyamandi District Mandsaur M.P., for the offence punishable under Section 34(2) M.P. Excise Act.

. It is alleged that 68 bulk litre illicit liquor has been seized from the possession of the applicant without having any license.

It is submitted that the applicant has not committed any offence. He has been falsely implicated in the matter. There is no criminal antecedent against the applicant. The applicant is under custody since 25.1.2016. Hence, prayed for grant of bail.

The prayer is opposed by learned Counsel for the respondent/State.

Case diary perused.

Taking into consideration the quantity alleged to have been seized and the fact that the applicant is under custody since 25.1.2016, without commenting anything on the merits of the case, the application is allowed. It is directed that the applicant shall be released on bail on his furnishing personal bond in the sum of **Rs. 50,000/- (Rs. Fifty Thousand)** only with separate sureties in the like amount to the satisfaction of the **Trial Court**.

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

The applicant will comply with all the terms and conditions of the bond executed by him;

The applicant will cooperate in the investigation/trial, as the case may be;

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 from disclosing such facts to the Court or to the Police Officer, as the case may be;

The applicant shall not commit an offence similar to the offence of which he is accused;

The applicant will not seek unnecessary adjournments during the trial; and

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 'J')

M.Jilla.