

M.Cr.C. No. 5347/17

29.05.2017

Shri Asif Khan, learned counsel for the applicant.

Shri Romesh Dave, learned counsel for the respondent/State.

This is the first bail application filed by the applicant under Section 439 of Cr.P.C.

The applicant is in custody w.e.f. 20.4.2017 in connection with Crime No. 25/2017 registered at P.S. Excise Circle, Sagor, District Dhar for the offence punishable under Section 34(2) of the M.P. Excise Act.

Learned counsel for the applicant contends that the applicant is in custody since 20.4.2017. The offence is triable by Judicial Magistrate First Class and sentence for the offence is neither punishable by capital punishment nor life imprisonment. However, prayer is made to enlarge the applicant on bail.

Learned counsel for the State opposes the application.

On due consideration of facts and circumstances of the case, this court deems it proper to grant bail to the applicant.

Accordingly, without commenting on the merits of the case, the application is allowed. Applicant namely **Ankit @ Mitwa** is directed to be released on bail on his furnishing a personal bond in a sum of **Rs.30,000/-** with a solvent surety in the like amount to the satisfaction of JMFC concerned or CJM for his appearance in the trial Court on the dates so fixed by that Court during the trial. It is directed that the applicant shall comply the provisions of Section 437(3) of Cr.P.C.

Certified copy as per rules.

**(J.K.MAHESHWARI)
VACATION J U D G E**

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