

HIGH COURT OF MADHYA PRADESH,
BENCH AT INDORE
M.Cr.C. No.28981/2017
(Prakash V/s. State of M.P.)

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Indore, Dated : 28.12.2017

Shri Manish Yadav, learned counsel for the petitioner.

Shri Pankaj Wadhwani, learned Govt. Advocate for the respondent/State.

Heard.

This is a **First** application filed under Section 439 of Cr.P.C seeking bail in connection with Crime No.152/2017 registered at Police Station Sunera, District Shajapur for the offence punishable under Section 34(2) of M.P. Excise Act.

As per prosecution case, 70 bulk liter country made liquor has been seized from the possession of the petitioner.

Learned counsel for the petitioner submits that petitioner is innocent and he has been falsely implicated in the offence. The petitioner is in jail since 03.10.2017. The investigation is over and charge sheet has been filed. The conclusion of trial would likely to take time, hence prayed for release of the petitioner on bail.

Learned Public Prosecutor has opposed the prayer.

On due consideration of the facts and circumstances of the case coupled with the fact that since 03.10.2017 the petitioner is in custody, without commenting on merits the application is allowed. It is directed that the petitioner be released on bail upon his furnishing personal bond in the sum of **Rs.50,000/-** (Rupees Fifty Thousand) with **one solvent**

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surety in the like amount to the satisfaction of the concerned CJM for his appearance before the trial Court subject to the following conditions :-

- (I)The petitioner shall cooperate in the trial and shall attend the trial court during the trial.
- (II)The petitioner shall not directly or indirectly allure or make any inducement, threat or promise to the prosecution witnesses so as to dissuade them from disclosing facts of the case before the Court.
- (III)The petitioner shall not commit any offence or involve in any criminal activities
- (IV)In case any default in attendance before the Court or involvement in any other criminal activities is found the bail granted in this case may also be cancelled.

C.c as per rules.

(Vivek Rusia)
Vacation Judge

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**Neeraj
Sarvate**

Digitally signed by Neeraj Sarvate
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