

**HIGH COURT OF MADHYA PRADESH****M.Cr.C. No.19764/2019***(Pravin S/o Natthu Vs. State of M.P.)***Indore, Dated: 30/05/2019**

Shri Dharmendra Yadav, learned counsel for the applicant.

Shri L.S. Chandiramani, learned counsel for the respondent/State.

Heard. Perused the case diary.

This is first application under section 439 of the Cr.P.C seeking bail in connection with Crime No.34/2019 registered at Police Station, Silawad, District Badwani for the offence punishable under Section 34(2) of the M.P. Excise Act and 279, 337 of the IPC.

As per prosecution story, 93.60 bulk liters of illicit liquor has been seized from the possession of the applicant.

Learned counsel for the applicant submits that the charge sheet has been filed and the applicant has no past criminal antecedents. He further submits that the offence is triable by the Magistrate and the applicant is in custody since 08/04/2019, hence prayed for release of the applicant on bail.

Per contra, learned counsel for the respondent/State protested the bail application and has also submitted that there are no criminal antecedents of the applicant of the Excise Act.

Considering the facts and circumstances of the case and quantity of contraband alleged to have been recovered from the applicant, without commenting upon the merits of the case, the application is allowed. The applicant is directed to 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 of 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 court concerned during trial and shall also abide by the conditions enumerated under section 437(3) Cr.P.C.

C.c as per rules.

**(Shailendra Shukla)**  
**Judge**

krjoshi