

THE HIGH COURT OF MADHYA PRADESH

M.Cr.C. No.22148/2019

(Subhash vs. The State of Madhya Pradesh)

Indore, Dated: 30/05/2019

Shri Vinod Thakur, learned counsel for the applicant.

Shri Yogesh Kumar Gupta, learned Public Prosecutor
for the respondent/State.

Heard, Case-diary perused.

This first application under Section 439 of Criminal Procedure Code, 1973 has been filed by applicant-Subhash, who is implicated in connection with Crime No.208/2019 registered at Police Station–Maingaon, District-Khargone, concerning offence under Section 34(2) of M.P. Excise Act, 1915.

As per prosecution story, 60 bulk liters of illicit liquor has been seized from the possession of the present applicant. Accordingly, case has been registered against him.

Learned counsel for the applicant has submitted that the charge-sheet has been filed. Applicant is not having any criminal antecedents. Only 60 bulk liters of illicit liquor has been seized from the possession of the present applicant. The applicant is in custody since 05/05/2019. Under these circumstances, learned counsel prays for grant of bail to the applicant.

Learned Public Prosecutor is also heard, he submits that one case pertaining to IPC is registered against the applicant and prayed for rejection of the bail application.

Considering the facts and circumstances of the case and the arguments advanced by learned counsel for the parties, but without commenting on the merits of the case, the application

filed by applicant-Subhash 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 trial Court, 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) of Cr.P.C.

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

Miscellaneous Criminal Case No.22148/2019 is allowed and stands disposed of.

Certified copy, as per rules.

(Shailendra Shukla)
Vacation Judge

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