THE HIGH COURT OF MADHYA PRADESH

M.Cr.C. No. 12376 / 2019
(Lakhan Babra Vs. State of M.P.)

Jabalpur, Dated: 29.03.2019

Shri B.K. Upadhyay, learned counsel for the applicant.

Shri J.A. Shah, learned Government Advocate for the respondent/State.

Heard.

Case diary perused.

This is first application filed by the applicant/accused under Section 439 of Cr.P.C for grant of bail in connection with Crime No.219/2019 registered at Police Station Kotwali, District Hoshangabad for the offence punishable under Section 34(2) of the M.P. Excise Act, 1915.

As per the prosecution story, the allegation against the applicant is that from his illegal possession 54 bulk liters of country made liquor was seized.

It is submitted by the counsel for the applicant that the applicant is innocent person. The applicant is in custody since 05.03.2019. The trial will take time to conclude. It is further submitted that there is no criminal antecedents of the applicant. There is no likelihood of his absconding or tampering with the prosecution witness. Therefore, it is prayed that the applicant be released on bail.

Learned counsel for the respondent/State opposing the submissions made on behalf of the applicant has prayed for rejection of the bail application.

Considering the facts and circumstances of the case and the fact that the applicant is in judicial custody since

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05.03.2019 and the trial will take time to conclude, this application is allowed.   It is ordered that the applicant be released on bail on his furnishing a personal bond for the sum of **Rs.30,000/-** (Thirty thousand only) with a solvent surety in the like amount to the satisfaction of the trial court for securing his presence before the said Court on all the dates of hearing fixed in this regard during trial and for complying with the conditions enumerated in sub-section (3) of Section 437 of Cr.P.C.

Certified copy as per rules.

(Mohd. Fahim Anwar)
Judge

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