

The High Court Of Madhya Pradesh

MCRC-10760-2020

(RAMKISHORE @ BAJRANGI Vs THE STATE OF MADHYA PRADESH)

Jabalpur, Dated : 20-03-2020

Shri H.S. Verma, learned counsel for the applicant.

Shri Samarth Awasthy, Govt. Advocate for the respondent-State.

Heard.

This is first bail application filed by the applicant under Section 439 of the Code of Criminal Procedure.

The applicant is in custody since 21.2.2020, in connection with Crime No.275/2020 registered at Police Station Kolgawan, District Satna (M.P.) for the offence punishable under Section 34(2) of M.P. Excise Act.

As per prosecution story, on 21.2.2020, police of Police Station Kolgawan, District Satna, received information from the informant that near Sulabh Complex, one person is having illicit liquor in his possession. During search, the present accused/applicant was found in possession of 63 bulk liters of illicit liquor. Thereafter, case has been registered against the present accused/applicant in the concerned Police Station for the aforesaid offence.

Learned counsel for the applicant submits that applicant is in jail since 21.2.2020. The trial will take time for final disposal. There is no possibility of his absconding or tampering with the prosecution evidence. The applicant has been falsely implicated in this case. There is no criminal antecedent against the accused/applicant. He is ready to furnish bail as per the order, abiding with all conditions imposed by the Court. On these grounds, learned counsel for the applicant prays for grant of bail to the applicant.

Per-contra, learned Govt. Advocate opposes the bail application.

After hearing arguments of the parties and looking to the facts and circumstances of the case, the accused/applicant is in jail since 21.2.2020, the trial will take time for final disposal, there is no probability of his absconding or tampering with the prosecution evidence, it would be appropriate to release the applicant on bail, therefore without commenting on merits of the case, application of the applicant under Section 439 of the Cr.P.C. seems to be acceptable. Consequently, it is hereby **allowed**.

It is directed that **applicant-Ramkishore @ Bajrangi** be released on bail on his furnishing bail bond in the sum of **Rs.50,000/- (Rupees Fifty Thousand)** with one surety of the same amount to the satisfaction of the JMFC concerned or trial Court for his appearance before the trial Court on the dates given by the concerned Court. It is directed that the applicant shall comply with the provisions of Section 437(3) of the Cr.P.C.

Certified copy as per rules.

(RAJENDRA KUMAR SRIVASTAVA)
JUDGE

A.Praj.

