

The High Court Of Madhya Pradesh

MCRC No. 56617 of 2021

(JAGDISH KUCHBANDIYA Vs THE STATE OF MADHYA PRADESH)

Jabalpur, Dated : 30-11-2021

Shri Kamal Singh Rajput, learned counsel for the applicant.

Shri Shahrukh Riyaz, learned Panel Lawyer for the respondent/State.

This is first bail application filed under Section 439 of Cr.P.C. on behalf of applicant, who is in jail since 29.10.2021 in connection with Crime No.425/2021, registered at Police Station Excise Circle Itarsi, District Hoshangabad (M.P.), for the offences punishable under Section 34(1)(Ka) and 34(2) of Excise Act, 1959.

Learned counsel appearing for the applicant submitted that applicant was found in possession of 63 litres of country made liquor. It is submitted that offence is triable by J.M.F.C. Investigation is complete and, therefore, prayed that applicant be enlarged on bail.

Learned Panel Lawyer appearing for the respondent/State has opposed the prayer for grant of bail. It is submitted that 8 cases are registered against the applicant. Offences registered on earlier occasion are serious in nature and some are related to N.D.P.S and Excise Act. Applicant has also committed offence under section 302 of IPC. It is submitted that considering the criminal background of applicant, bail application may be dismissed.

Heard the learned counsel for the parties.

Considering the criminal record of applicant, bail application filed by the applicant is **dismissed**.

Trial court is directed to conclude the trial within period of one year.

Applicant is at liberty to file fresh application for bail if trial is not concluded within period of one year.

Registry is directed to send a copy of this order to the concerned trial court for information and compliance.

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