

THE HIGH COURT OF MADHYA PRADESH

M.Cr.C. No.56697/2021

(Golu @ Ravindra Kushwaha vs. The State of Madhya Pradesh)

Jabalpur, Dated 30.11.2021

Shri Pramod Thakre, learned counsel for the petitioner.

Shri Premnarayan Verma, learned Panel Lawyer for the respondent/State.

ORDER

| Crime | Under Section | Police Station | Date of Arrest |
|--------------|----------------------------|---------------------------|-----------------------|
| 237/2021 | 34(2), of M. P. Excise Act | Satai District Chhatarpur | 08.11.2021 |

As declared by the petitioner, this is the first bail application under Section 439 of Cr.P.C. for grant of bail.

2. Allegation against the petitioner is that on 31.08.2021 on credible information of the informer petitioner was found in illegal possession of 63bulk liter of country made illicit liquor.

3. It is argued by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The petitioner has no criminal antecedents. The petitioner is permanent resident of District Chhatarpur, there is no likelihood of his absconding or tampering with the prosecution case. He is ready to furnish adequate security and to abide by all the conditions which may be imposed by this Court. On these grounds, prayer is made to enlarge the petitioner on bail.

4. Learned Panel Lawyer has opposed the bail, however, submits that the petitioner has no criminal antecedents.

5. Considering the quantity recovered, the date of arrest and other facts and circumstances of the case, I deem it appropriate to release the petitioner on bail, therefore, without commenting on the merits of the case, the petition is ***allowed***.

6. It is directed that the **petitioner- Golu @ Ravindra Kushwaha** be released from custody on his furnishing a personal bond in the sum of **Rs.20,000/-** (Rupees Twenty Thousand Only) with one solvent surety to the satisfaction of the Trial Court for his appearance before the Trial Court as and when required further subject to the following conditions:-

- (i) The petitioner shall co-operate with the trial and shall not seek unnecessary adjournments on frivolous grounds to protract the trial.;
- (ii) The petitioner shall not directly or indirectly allure or make any inducement, threat or promise to the prosecution witnesses, so as to dissuade him from disclosing truth before the Court;
- (iii) The petitioner shall not commit any offence or involve in any criminal activity;
- (iv) In case of his involvement in any other criminal activity or breach of any other aforesaid conditions, the bail granted in this case may also be cancelled.

(Virender Singh)
JUDGE

Loretta Digitally signed by MRS.
LORETTA RAJ
Date: 2021.12.01 14:13:54 +05'30'