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**IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE**

**BEFORE  
HON'BLE SHRI JUSTICE SUBODH ABHYANKAR**

**ON THE 30<sup>th</sup> OF JUNE, 2022**

**MISC. CRIMINAL CASE No. 29889 of 2022**

**Between:-**

**RAKESH S/O SHAMBHULAL, AGED ABOUT 22  
YEARS, OCCUPATION: LABOUR GRAM TEHSIL  
PIPLODA. RATLAM (MADHYA PRADESH)**

**....APPLICANT**

**(BY SMT. BUSHRA KHAN, ADVOCATE )**

**AND**

**THE STATE OF MADHYA PRADESH STATION  
HOUSE OFFICER THROUGH POLICE STATION  
RINGNOD. (MADHYA PRADESH)**

**.....RESPONDENTS**

**(BY SHRI )**

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*This application coming on for ..... this day, the court passed the  
following:*

**ORDER**

They are heard. Perused the case-diary.

This is the **first** bail application filed by applicant under Section 439 of Criminal Procedure Code, 1973 as he is implicated in connection with Crime No.194/2021 registered at Police Station Ringnod, District Ratlam (MP) for offence punishable under Section 34(2) of M.P. Excise Act, 1915. The applicant is in custody since 06.06.2022.

The allegation against the applicant is that he was also involved in the aforesaid case wherein 2085.8 bulk litres of unauthorized liquor has been seized from the possession of co-accused persons, namely, Hamersingh and Ishwar

Singh.

Counsel for the applicant has submitted that present applicant has been falsely implicated in the case only on the basis of 27 memo of other co-accused Moin Khan, who has already been released on bail by this Court in M.Cr.C.No.59812 of 2021 vide order dated 14.12.2021 and the present applicant is having complete parity with him. Thus, it is prayed that the applicant be also enlarged on bail.

Counsel for the respondent/State, on the other hand, has opposed the prayer.

On due consideration of submissions and on perusal of the case-diary, this Court finds force with the contentions raised by the counsel for the applicant, and finds it expedient to allow the application.

Accordingly, without adverting to the merits of the case, the application filed by the applicant is allowed. The applicant is directed to be released on bail upon furnishing a personal bond in the sum of **Rs.50,000/- (rupees fifty thousand)** with a solvent surety of the like amount to the satisfaction of the trial Court for his regular appearance before the trial Court during trial 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) Criminal Procedure Code, 1973.

It is also observed that if the applicant is found to be involved in any of the criminal activities, after his release on bail, then the present bail order shall stand cancelled without further reference to this Court; and the State/prosecution will be free to arrest the accused in the present case also.

This order shall be effective till the end of the trial, however, in case of bail jump, it shall become ineffective.

Certified copy as per rules.

**(SUBODH ABHYANKAR)**  
**JUDGE**

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