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

HON'BLE SHRI JUSTICE PREM NARAYAN SINGH

ON THE 31st OF OCTOBER, 2023

MISC. CRIMINAL CASE No. 47732 of 2023

BETWEEN:-

**RAVI S/O BHAGIRATH,
AGED ABOUT 22 YEARS,
OCCUPATION: LABOR
R/O GRAM TONKKHURD
DISTT. DEWAS (MADHYA PRADESH)**

.....APPLICANT

(SHRI KAUSHAL SISODIYA - ADVOCATE)

AND

**THE STATE OF MADHYA PRADESH
STATION HOUSE OFFICER THROUGH
POLICE STATION TONK KHURD
DIST. DEWAS (MADHYA PRADESH)**

.....RESPONDENTS

(MS. VINITA DWIVEDI - PANEL LAWYER)

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

ORDER

Heard and perused the record.

This is the first bail application filed on behalf of the applicant under Section 439 of the Code of Criminal Procedure for grant of bail. The applicant is arrested in relation to Crime/FIR No.452/2023, registered at Police Station-Tonkkurd, District-Dewas, for the offence under Section 34(2) of M.P. Excise Act 1915. Applicant is in custody since 10.10.2023.

2. As per prosecution story, 70 bulk liters country made illicit liquor is

said to be seized from the possession of the applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated in this case. The applicant is in jail since 10.10.2023. The case is triable by Judicial Magistrate First Class and conclusion of trial will take sufficient long time. Under these circumstances, counsel prays for grant of bail to the applicant.

4. On the other hand, learned Govt. Advocate opposed the application and prayed for its rejection.

5. After hearing learned counsel for the parties and looking to the facts and circumstances of the case and the quantity of liquor, I am of the view that it is a case, in which applicant may be released on bail. Consequently without commenting on the merits of the case, first bail application under Section 439 of the Code of Criminal Procedure for grant of bail filed on behalf of applicant, stands **allowed**.

6. It is directed that applicant be released on bail on his furnishing a personal bond in the sum of **Rs.50,000/- (Rupees Fifty thousand only)** with one solvent surety in 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 concerned Court on all the dates fixed by it during trial. He shall abide by all the conditions enumerated under Section 437(3) of Cr.P.C.

7. This order shall be effective till the end of the trial. However, in case of bail jump and breach of any of the conditions of bail, it shall become ineffective.

Certified copy as per rules.

(PREM NARAYAN SINGH)
JUDGE

sumathi

