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THE HIGH COURT OF MADHYA PRADESH
MCRC-52924-2021
Banshi Vs. State of MP

Gwalior, Dated : 03-12-2021

Shri Pavan Kumar Vijaywargiya, Counsel for the applicant.

Shri Rajiv Upadhyay, Counsel for the State.

This application under Section 482 of CrPC has been filed for modification of order dated 14.09.2021 passed in M.Cr.C. No.43937/2021, by which the applicant was granted bail on furnishing cash surety of Rs.1,00,000/-.

It is submitted by the counsel for the applicant that the applicant is a poor person and he is still in jail.

Per contra, the application is vehemently opposed by the counsel for the State. It is submitted that since the applicant has a criminal history and two more cases under M.P. Excise Act were registered against him, therefore, this Court has granted bail on furnishing cash surety of Rs.1,00,000/-. Under these circumstances, it cannot be said that the condition imposed by this Court is either harsh or unreasonable.

Heard the learned counsel for the parties.

Although during the course of arguments, a submission was made by the counsel for the applicant that the applicant has no criminal history, but when he was directed to point out from the grounds raised in the application, then he fairly conceded that no

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such ground has been raised. The applicant was granted bail on furnishing cash surety of Rs.1,00,000/- in the light of his criminal antecedents. If the applicant has not shown any improvement in his life, then under these circumstances, it cannot be said that the condition of furnishing cash surety is unreasonable or harsh.

Accordingly, the application fails and is hereby **dismissed**.

(G.S. Ahluwalia)
Judge

Abhi