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

**BEFORE
HON'BLE SHRI JUSTICE DEEPAK KUMAR AGARWAL**

ON THE 17th OF MARCH, 2023

MISC. CRIMINAL CASE No. 11638 of 2023

BETWEEN:-

**SHIVDATT @ GHANSE S/O SHRI MULUSINGH
RAJAWAT, AGED ABOUT 45 YEARS, OCCUPATION:
LABOUR R/O GHOSIPURA MATA MANDIR KE PASS
(MADHYA PRADESH)**

.....APPLICANT

(BY SHRI MOHIT SHIVHARE - ADVOCATE)

AND

**THE STATE OF MADHYA PRADESH THROUGH POLICE
THANA BAHODAPUR (MADHYA PRADESH)**

.....RESPONDENTS

(BY SHRI ANIL SHUKLA - PUBLIC PROSECUTOR)

.....

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

ORDER

This is second bail application u/S.439 Cr.P.C filed by the applicant for grant of bail.

The applicant has been arrested on 24.02.2023 by Police Station- Bahodapur District- Gwalior (M.P.) in connection with Crime No. 779/2015 for the offence punishable under Sections 34(2) of Excise Act.

Present is a case of bail jump where initially benefit of bail was extended to the applicant by the trial Court in the year 2016 but due to absconion of applicant, his bail bonds were cancelled and arrest warrant was issued against him leading to his surrender on 24.03.2023 since when he is in custody.

Learned Public Prosecutor for the State opposed the application and prayed for dismissal of the application.

Heard learned counsel for both the parties and perused the case diary.

Looking to the facts and circumstances of this case but without commenting upon the merits of the case, this Court is of the opinion that the application should be allowed and by allowing the application it is ordered that if the applicant furnishes **cash security of Rs.25,000/- (Twenty Five Thousand only) alongwith bail bond in the sum of Rs.25,000/- (Rs. Twenty Five thousand only) before the trial Court**, he should be released on bail.

He will present during trial before the trial Court on each and every date. In case of any default, cash security of Rs.25,000/- shall be forfeited without giving him any notice.

Application stands **allowed and disposed of.**

Certified copy as per rules

(DEEPAK KUMAR AGARWAL)
JUDGE

Adnan