

HIGH COURT OF MADHYA PRADESH, BENCH AT INDORE

MISC. CRIMINAL CASE NO.45892 OF 2018

(Dinesh vs State of Madhya Pradesh)

Indore, Dated 16.11.2018

Mr. Nilesh Dave, learned counsel for the applicant.

Mr. Vishal Sanothiya, learned public prosecutor for the respondent/State.

This is the first bail application made by the accused/applicant under Section 439 of Criminal Procedure Code, 1973 for grant of bail in connection with Crime No.771/2018 registered at Police Station-Manavar, District-Dhar (MP) for the offence punishable under Section 34(2) of MP Excise Act, 1915.

Allegedly, 70 bulk litres of liquor was seized from the possession of the applicant for which he is not having the valid licence. Accordingly, case has been registered against him.

Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the present case. It is further submitted that the case is triable by Judicial Magistrate First Class and that no criminal antecedent is attributable to the present applicant.

Learned public prosecutor for the respondent/State has not disputed the aforesaid position and has further not disputed that no criminal antecedent with regard to offence under MP Excise Act is attributable to the applicant.

In view of the aforesaid facts and circumstances, without further commenting on merits of the case, it would

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be appropriate to enlarge the applicant on bail. Accordingly, the applicant-Dinesh is directed to be released on bail upon his furnishing a personal bond in the sum of **Rs.50,000/- (Rupees Fifty Thousand only)** with one surety in the like amount to the satisfaction of the trial Court for his appearance before that Court during the pendency of trial.

Certified copy, as per Rules.

(VIVEK RUSIA)
J U D G E

Arun/-