

HIGH COURT OF M.P, BENCH AT INDORE

Raja s/o Lakshman vs. State of M.P

M.Cr.C NO.49887/2018

14.12.2018:

Shri K.C.Paliwal, learned counsel for the applicant.

Shri K.K.Tiwari, learned counsel for the respondent/State.

Heard.

This is first application under section 439 Cr.P.C for grant of bail in connection with Crime No.541/18 registered at police station MIG, Indore, district Indore for the offence punishable under section 49(A) of the M.P Excise Act.

As per prosecution case, 15 bulk liters of country made poisonous liquor have been recovered from the possession of the applicant which is not fit for human consumption. It is alleged that the applicant did not have any license.

Learned counsel for the applicant submits that the applicant has been falsely implicated in the offence. He further submits that the applicant has no criminal antecedents. He is in custody since 26.07.2018. The investigation is over and charge sheet has been filed. The offence is triable by Magistrate. There is no likelihood of early conclusion of the trial, hence prayed for release of the applicant on bail.

Prayer is opposed by the learned counsel for the respondent/State.

Case-diary perused.

Taking into consideration the quantity of contraband alleged to have been recovered from the applicant coupled with the fact that applicant is in custody since 26.07.2018 and there is no criminal antecedents of the applicant, without commenting on the merit of the case, the application is allowed and the applicant is directed to be released on bail upon his furnishing personal bond in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court for his appearance before that Court on all such dates as may be fixed in this behalf by the trial Court during the pendency of trial.

C.c on payment of usual charges.

(SHAIENDRA SHUKLA)

JUDGE

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