

**HIGH COURT OF MADHYA PRADESH, BENCH AT INDORE**

**MISC. CRIMINAL CASE NO.50530 OF 2018**  
**(Salman vs State of Madhya Pradesh)**

**Indore, Dated 14.12.2018**

Mr. Z.A. Khan, learned senior counsel assisted by Mr. Ramesh Gangare, counsel for the applicant.

Mr. Kamal Tiwari, learned public prosecutor for the respondent/State.

Arguments heard. Case diary perused.

This is the first bail application filed by the **applicant-Salman** under Section 439 of Code of Criminal Procedure, 1973 for grant of bail, in connection with Crime No.840/2018 registered at Police Station-Chandan Nagar, District-Indore (MP) for the offence punishable under Sections 49-A and 34 of MP Excise Act, 1915.

As per prosecution story, 25 litres of poisonous liquor was seized from the possession of applicant, which is not fit for human consumption. Accordingly, case has been registered against the applicant.

Learned senior counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in the present crime. He submits that charge-sheet has already been filed in this matter. He submits that FSL report has not yet been filed. The applicant has no criminal antecedents. He submits that it does not appear that any injury was caused on consumption of liquor seized from the applicant. The applicant is in custody since 23.10.2018. The offence registered against the applicant is triable by Judicial Magistrate First Class. Conclusion of the trial will take long time. Under these circumstances, learned senior counsel prays for grant of bail to the applicant.

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Learned public prosecutor for the respondent/State opposes the bail application and prays for its rejection.

Considering the facts and circumstances of the case and the arguments advanced by learned counsel for the applicant, but without making any opinion on merits of the case, the application filed by the **applicant-Salman** is allowed. The applicant is directed to be released on bail on his furnishing a personal bond in the sum of **Rs.50,000/- (Rupees Fifty Thousand)** with one solvent surety of the like amount to the satisfaction of trial Court, for his regular appearance before the trial Court during trial with a condition that he shall remain present before the Court concerned during trial and shall also abide by the conditions enumerated under Section 437(3) of Code of Criminal Procedure, 1973.

Certified copy, as per Rules.

**(SHAILENDRA SHUKLA)**  
**J U D G E**

**Arun/-**