

HIGH COURT OF MP BENCH AT INDORE

MCRC No.21658/2019

Ajay vs. State of M.P.

Indore: Dated:-23.05.2019

Shri A. Naik, learned counsel for the petitioner.

Ms. Gurneet Chawla, learned Penal Lawyer for the respondent/State.

Heard with the aid of case diary.

ORDER

1. This is first bail application under Section 439 of Cr.P.C. in connection with Crime No.402/2019 under Section 34(2) of M.P. Excise Act registered at Police Station- Banganga District-Indore.

2. According to the prosecution case, 60 bulk liters of illicit country made liquor has been recovered from possession of petitioner for which he was not having valid license.

3. It is submitted by the learned counsel for the petitioner that he has no criminal antecedents. He is in custody since 02.04.2019. Therefore, he may be granted bail.

4. The Public Prosecutor has opposed the bail application.

5. In view of the arguments advanced by the learned counsel for the petitioner, allegations made against him, I deem it proper to release the accused on bail. Therefore, without commenting on merits of the case, the application is allowed.

6. It is directed that the petitioner **Ajay S/o Gangadhar Mehta** be released from custody on his furnishing a personal bond in the sum of **Rs.25,000/- (Rupees Twenty Five Thousand)** with one solvent surety to the satisfaction of the Trial Court for his appearance before the Trial Court as and when required further subject to the following conditions:-

(i) The petitioners shall co-operate with the trial and shall not seek unnecessary adjournments on frivolous grounds to protract the trial;

(ii) The petitioners shall not directly or indirectly allure or make any inducement, threat or promise to the prosecution witnesses, so as to dissuade them from disclosing truth before the Court;

(iii) The petitioners shall not commit any offence or involve in any criminal activity;

(Xii) In case of their involvement in any other criminal activity or breach of any other aforesaid conditions, the bail granted in this case may also be cancelled.

(Virender Singh)
Judge

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