

HIGH COURT OF MADHYA PRADESH

MCRC No. 17314/2020

(Dinesh S/o Surma Bhil vs. State of MP)

Indore: Dated:-03/07/2020:-

Shri NJ Dave, learned counsel for the petitioner.

Shri Gagan Bajad, learned Panel Lawyer for the respondent/State.

Heard with the aid of case diary.

ORDER

1. This is the first bail application under Section 439 of Cr.P.C. in connection with Crime No.1510/2019 registered at Police Station – Excise Circle, Bhikangaon under Section 34(1)(A) and 34(2) of Excise Act.
2. It is argued by the learned counsel for the petitioner that there is nothing against the petitioner to implead him in the case except disclosure statement recorded under Section 27 of the Evidence Act of co-accused Sanju from whose possession, the police have recovered 60 bulk liters of country made liquor on 18.12.2019.
3. Undisputedly, the petitioner has no criminal record.
4. The prosecution has opposed the application.
5. Considering the nature of allegation made against the petitioner and other facts and circumstances of the case, the application is allowed.
6. It is directed that the petitioner **Dinesh S/o Surma Bhil** be released from custody on his furnishing a personal bond in the sum of **Rs.25,000/- (Rs. Twenty Five Thousand)** with

one solvent surety of the like amount 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 petitioner shall co-operate with the trial and shall attend the trial Court during the trial;

(ii) The petitioner 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 petitioner shall not commit any offence or involve in any criminal activities;

(iv) In case, his involvement in any other criminal activity is found, the bail granted in this case may also be cancelled.

**(Virender Singh)
Judge**

soumya