

**THE HIGH COURT OF MADHYA PRADESH**  
**M.Cr.C. No.34430/2020**  
*Prakash S/o Suraj Cchouhan V/s. State of M.P.*  
**-: 1 :-**

**Indore, dated : 25.09.2020**

Shri Saif Ali, learned counsel for the applicant.

Respondent/State by Shri Rakesh Singh Bhadoria,  
Panel Lawyer.

**ORDER**

This is **First** application under Section 439 Cr.P.C. by applicants – **Prakash S/o Suraj Chouhan**, who has been arrested by Police on **16.03.2020** in **Crime No.262/2020**, **Police Station Dwarkapuri, District Indore** concerning **offence under Section 34(2) of the M.P. Excise Act.**

2. Heard learned counsel for the parties through video conferencing and perused the case diary.

3. As per prosecution case, 63 bulk liters country made liquor has been recovered from the possession of the applicant.

4. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. The offence is triable by Magistrate. The investigation is complete and charge-sheet has been filed. There is no likelihood of early conclusion of the trial. He, therefore, prayed for grant of bail to the applicants.

5. On the other hand, learned Panel Lawyer opposes the prayer for grant of bail.

6. I have perused the case-diary. Taking into consideration the quantity of contraband alleged to have been recovered from the applicant, without commenting on the merits of the case, the application is allowed and the applicant is directed

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**-: 2 :-**

to be released on bail upon his furnishing a personal bond in the sum of **Rs.50,000/- (Rupees Fifty Thousand Only)**, with **one solvent surety** in the like amount to the satisfaction of trial Court for his appearance before the trial Court on all such dates as may be fixed in this behalf by the trial Court during the pendency of trial and shall also abide by the conditions enumerated under Section 437 (3) of Cr.P.C.

7. Before releasing the applicant from the custody the jail authorities are directed to medically examine him in order to rule out the possibility of Covid -19 infections and shall comply with the direction given by the Hon'ble Apex Court in Writ Petition No. 1/2020.

**C.c.** as per rules.

**( VIVEK RUSIA )  
JUDGE**

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