

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

**M.Cr.C.No. 36519 / 2020**

**( Madan vs. State of M.P.)**

**Indore, Dated: 23/10/2020**

**Heard through video conferencing.**

Shri Rohit Ujjaini, learned counsel for the applicant.

Shri Shantanu Sharma, learned Panel Lawyer for the respondent/State.

This is the **first** application under Section 439 Cr.P.C, for grant of bail in connection with Crime No.144/2020, registered at Police Station-Udainagar, District-Dewas for commission of offence punishable under Section 34(2) of the M.P. Excise Act. The applicant is in jail since 23.7.2020.

As per case diary, on the basis of secret information, 70 bulk liters of illegal country made liquor has been recovered from the possession of the present applicant. On the basis of the aforesaid, the alleged offence has been registered against the present applicant.

Learned counsel for the applicant has submitted that the applicant is innocent and has been falsely implicated in the alleged offence. There is no legal evidence against the present applicant to connect him with the alleged crime. He further submits that the conclusion of the trial is likely to take considerable long time. He also assured that in future the applicant will not be faulted with the provisions of Section 59 (A) of the M.P. Excise Act. Under these circumstances, he prays for grant of bail to the applicant.

Learned Panel Lawyer for the State submits that no sufficient ground is made out for releasing the applicant on bail, hence the application filed by the applicant be dismissed.

Considering the facts and circumstances of the case, the arguments advanced by learned counsel for the applicant and looking to the period of detention, but without commenting on the merits of the case, the application filed by the applicant 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 Fifteen Thousand only)** 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 Cr.P.C.

This order shall be effective till the end of the trial, however, in case of bail jump, it shall become ineffective.

Certified copy, as per rules.

**(Ms. Vandana Kasrekar)**  
**JUDGE**