

HIGH COURT OF MADHYA PRADESH : BENCH AT INDORE
(SINGLE BENCH : HON. Mr. JUSTICE VIVEK RUSIA)

M.Cr.C. No. 21283 of 2021
(Raju S/o. Basantilal V/s. State of M.P.)

Date: 18.06.2021 :

Applicant by Shri Vivek Singh, Advocate.

Respondent/State by Shri Akash Sharma, Panel Advocate.

Heard the learned counsel for the parties through video conferencing.

This is a repeat (4th) application filed by the applicant u/s. 439 of Cr.P.C. who is in custody since 5.5.2020 in connection with Crime No. 128/2020 registered at Police Station Namli, District Ratlam for the offence/s punishable u/s. 49-A of the M.P. Excise Act and 304, 326 of the IPC.

The details of earlier are as under :

S.No.	No. of Application.	M.Cr.C. No.	Date of Order	Result.
1	First	40341/2020	19/10/20	Dismissed as withdrawn after arguing at length.
2	Second	45966/2020	20/01/21	Dismissed as withdrawn.
3	Third	14087/2021	25/03/21	Dismissed as withdrawn after arguing for some time.

Learned counsel for the applicant submits that the applicant has not been named by any of the witnesses in their 161 statement as well as in the Court statements. He, therefore, prayed for grant of bail to the applicant.

The applicant was arrested on 5.5.2020 and his memorandum u/s. 27 of the Evidence Act was recorded. In his statement he has admitted that he has stored large quantity of poisonous liquor in his house. Thereafter, his house was searched and 14 liters of spurious liquor was recovered from his house. The applicant has been made accused for the offences punishable u/s. 49-A of the Excise act and u/s. 304 and 326 of the IPC. The trial is in progress. In this case, two persons have lost their lives and one person has lost his eye-vision. Therefore, no case for grant

- : 2 :-

M.Cr.C. No. 21283/2021

of bail.

Accordingly, this repeat M.Cr.C. is dismissed.

**(VIVEK RUSIA)
JUDGE**

Alok/-