

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

M.Cr.C. No. 29047 of 2021
(Ramesh S/o. Uda @ Udiya 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 (6th) application filed by the applicant u/s. 439 of Cr.P.C. who is in custody since 6.5.2020 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.N o.	No. of Application.	M.Cr.C. No.	Date of Order	Result.
1	First	29665/2020	05/09/20	Dismissed as withdrawn after arguing at length.
2	Second	36395/2020	06/10/20	Dismissed as withdrawn after arguing at length
3	Third	46087/2020	20/01/21	Dismissed as withdrawn.
4	Fourth	14083/2021	25/03/21	Dismissed as withdrawn after arguing for some time.
5	Fifth	19494/2021	10/05/21	Dismissed on merit by a detailed order.

Learned counsel for the applicant submits that the applicant is Ramesh S/o. Uda @ Udiya who has been implicated on the basis of memorandum u/s. 27 of the Evidence, but his earlier application has been considered and rejected treating him as Ramesh Mongia. Prahlad (P.W.4) before the Court has stated the name of Ramesh Mongia who filed the M.Cr.C. No.19494/2021, therefore, his application be considered afresh.

So far as the present applicant is concerned, he was arrested on 6.5.2020 and his memorandum was recorded u/s. 27 of the Evidence act and in his statement he has admitted that he has stored large quantity of

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poisonous liquor in his house. Thereafter, the police has searched his house on 6.5.2020 and a large quantity of spurious liquor was recovered. 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 of bail.

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

(VIVEK RUSIA)
JUDGE

Alok/-