

IN THE HIGH COURT OF MADHYA PRADESH**AT INDORE****BEFORE****HON'BLE SHRI JUSTICE ANIL VERMA****ON THE 19th OF MAY, 2022****MISC. CRIMINAL CASE No. 25177 of 2022****Between:-****JAYPRAKASH S/O SHRI BHALLU PAWAN, AGED ABOUT 33 YEARS,
OCCUPATION: BUSINESS R/o. BAJRANG NAGAR MAHADEV SAHARA
INDORE (MADHYA PRADESH)****.....APPLCIANT****(BY SHRI AVINASH YADAV, ADVOCATE)****AND****THE STATE OF MADHYA PRADESH STAION HOUSE OFFICER
THROUGH POLICE SATATION KSHIPRA (MADHYA PRADESH)****.....RESPONDENT****(BY SHRI RANJEET SEN, GOVT. ADVOCATE)***This application coming on for this day, the court passed the following:***ORDER**

Applicant has filed this first bail application under Section 439 of the Code of Criminal Procedure, 1973. He is in Jail since 29.3.2022 in connection with Crime No.515/2021, registered at P.S. Kshipra, District Indore (M.P.) for commission of offence punishable under Section 34(2) of M.P. Excise Act.

As per the prosecution story, on 21.12.2021, police station received information from secret informant that applicant is having country made liquor. Upon this information police reached to the spot. After searching, police recovered 63 bulk litres of country made liquor from the possession of the applicant. Accordingly, a

case has been registered.

Learned counsel for the applicant submits that applicant is innocent and he has been falsely implicated in this matter. He is in custody since 29.3.2022. Investigation is over and charge sheet has been filed. He submits that there are no criminal antecedents registered against the present applicant. It is also submitted that the co-accused has already been enlarged on bail vide order dated 5.5.2022 passed in M.Cr.C.No.18411/2022. Final conclusion of trial will take considerable long time. Hence, he prays that applicant be released on bail.

Per contra, learned GA for respondent/State opposes the bail application and prays for its rejection.

Perused the case diary as well as the impugned order of the court below.

Considering all the facts and circumstances of the case, arguments advanced by counsel for the parties, nature and gravity of allegation as also taking note that the applicant is permanent resident of district Indore and shall not flee away from the court of justice. The final conclusion of trial will take considerable long time, I deem it proper to release the applicant on bail.

Accordingly, without commenting on the merits of the case, the application is allowed. It is directed that the applicant be released on bail upon his furnishing a personal bond in the sum of **Rs.60,000/-** with one solvent surety in the like amount to the satisfaction of the trial Court for his appearance before the trial Court, as and when required. He shall abide by the conditions

enumerated u/S. 437(3) Cr.P.C.

Accordingly, M.Cr.C.No.25177/2022 is allowed and disposed off.

C.C. as per rules.

(ANIL VERMA)
V. JUDGE

SS/-