

IN THE HIGH COURT OF MADHYA PRADESH

AT INDORE

BEFORE

HON'BLE SHRI JUSTICE ANIL VERMA

ON THE 28th OF JUNE, 2022

MISC. CRIMINAL CASE No. 29835 of 2022

Between:-

**SATYANARAYAN S/O MAJRATE , AGED ABOUT 30 YEARS,
OCCUPATION: LABOR GRAM DEWDHA KANJAR POLICE
STATION SUNDERSHI (MADHYA PRADESH)**

.....PETITIONER

***(SHRI GOVIND PAL SINGH SONGARA, LEARNED COUNSEL FOR
THE PETITIONER)***

AND

**THE STATE OF MADHYA PRADESH STATION HOUSE OFFICER
THROUGH POLICE STATION SUNDARSI (MADHYA PRADESH)**

.....RESPONDENTS

***(PROXY COUNSEL AG-SHRI RAHUL SOLANKI APPEARING ON
BEHALF OF ADVOCATE GENERAL.***

*This application coming on this day for orders 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

2.6.2022 in connection with Crime No. 73/2022 registered at P.S. - Sundershi District Shajapur (M.P.) for commission of offence punishable under Section 34(2) of MP Excise Act and Section 25 of Arms Act.

As per prosecution story, the applicant was found to be in possession of 58 bulk litres liquor unauthorisedly and illegally and one iron grip during the search by police. 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 further submits that there is no legal evidence available on record to connect the applicant with the aforementioned offence and no further custodial interrogation is required. Applicant is in jail since 2.6.2022. He is a permanent resident of District Shajapur. Final conclusion of trial will take considerable long time. Hence, he prays that applicant be released on bail.

Per-contra, learned PL for respondent/State opposes the bail application and prays for its rejection. But he fairly admits that applicant has no criminal antecedent.

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 of the fact that the applicant is in

jail since 2.6.2022 and 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/- (Rs. Sixty Thousand only)** 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.

C.C. as per rules.

(ANIL VERMA)
J U D G E

BDJ