

**IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE
BEFORE**

HON'BLE SHRI JUSTICE ANIL VERMA

ON THE 5th OF AUGUST, 2022

MISC. CRIMINAL CASE No. 36942 of 2022

Between:-

**SONU S/O SHRI BHERULAL VERMA,
AGED ABOUT 21 YEARS, OCCUPATION:
MAJDOORI 236, SUBHASH NAGAR
(MADHYA PRADESH)**

.....PETITIONER

***(LOKENDRA MALVIYA, LEARNED COUNSEL FOR THE
PETITIONER)***

AND

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

.....RESPONDENTS

***(PROXY COUNSEL AG.-SHRI ADITYA GARG APPEARING ON
BEHALF OF ADVOCATE GENERAL)***

*This application coming on for hearing this day, the court
passed the following:*

O R D E R

Applicant has filed this first bail application under Section

439 of the Code of Criminal Procedure, 1973. He is in Jail since 7.6.2022 in connection with Crime No. 387/2022 registered at P.S. - Deendayal Nagar Ratlam District Ratlam (M.P.) for commission of offence punishable under Section 49A of the M. P. Excise Act.

As per prosecution story, the applicant was found to be in possession of 5 liters spurious liquor 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 7.6.2022. He is a permanent resident of District Ratlam. 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 by submitting that 2 criminal cases under IPC have been registered against the applicant, therefore, he does not deserve for bail.

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 7.6.2022 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.70,000/- (Rs. Seventy 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