

**IN THE HIGH COURT OF MADHYA PRADESH**

**AT INDORE**

**BEFORE**

**HON'BLE SHRI JUSTICE ANIL VERMA**

**ON THE 29<sup>th</sup> OF SEPTEMBER, 2022**

**MISC. CRIMINAL CASE No. 46912 of 2022**

**BETWEEN:-**

**KARAMSINGH S/O RAJMAL MOURYA, AGED  
ABOUT 23 YEARS, OCCUPATION: LABOUR  
VILLAGE-AGAR, PS BAG, TEH KUKSHI,  
DISTT. DHAR (MADHYA PRADESH)**

**.....PETITIONER**

***(NILESH DAVE, LEARNED COUNSEL FOR THE  
PETITIONER)***

**AND**

**THE STATE OF MADHYA PRADESH STATION  
HOUSE OFFICER THROUGH PS KHARGONE,  
DISTT. KHARGONE (MADHYA PRADESH)**

**.....RESPONDENT**

***( CHETAN JAIN PL 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 13.8.2022 in connection with Crime No. 467/2022 registered at P.S. Khargone District Khargone (M.P.) for commission of offence punishable under Section 34(2) of the M. P. Excise Act. And under section 379 of IPC and under section 41(A)(4) , 102 of Cr.P.C.

As per prosecution story, the applicant was found to be in possession of 62 bulk litres liquor unauthorisedly and illegally 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 13.8.2022. He is a permanent resident of District Dhar. 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 applicant has one criminal antecedent under the Arms Act.

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 13.8.2022, offence is exclusively triable by JMFC 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.

Certified copy as per rules.

**(ANIL VERMA)**  
**J U D G E**

**BDJ**