

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

BEFORE

HON'BLE SHRI JUSTICE PREM NARAYAN SINGH

ON THE 10th OF JUNE, 2024

MISC. CRIMINAL CASE No. 22355 of 2024

BETWEEN:-

- 1. CHETAN S/O DARBAR SINGH, AGED ABOUT 28 YEARS, OCCUPATION: LABOUR VILLAGE AMONA DIST. DEWAS (MADHYA PRADESH)**
- 2. NAGESHWAR S/O VINOD PARIHAR, AGED ABOUT 25 YEARS, OCCUPATION: LABOUR VILLAGE AMONA DIST. DEWAS (MADHYA PRADESH)**

.....APPLICANTS

(BY SHRI GYANENDRA KUMAR SHRIVASTAVA, ADVOCATE)

AND

THE STATE OF MADHYA PRADESH STATION HOUSE OFFICER THROUGH POLICE STATION EXCISE DIST. DEWAS (MADHYA PRADESH)

.....RESPONDENT

(BY SHRI SACHIN JAISWAL, PANEL LAWYER)

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

ORDER

Heard and perused the record.

2. This is the first bail applications filed on behalf of the applicants under Section 439 of the Code of Criminal Procedure for grant of bail. The applicants are arrested in relation to Crime No.56/2024, dated (not mentioned), registered at Police Station-Excise Dewas, District- Dewas the offence under Section 34(1)(A) & 34(2) of M.P. Excise Act, 1915. The applicants are in jail since 09.05.2024.

3. As per prosecution story, it is alleged that 229.92 bulk litres of illicit liquor has been seized from the joint possession of the applicants.

4. Learned counsel for the applicants submits that the applicants are innocent and have falsely been implicated in this case. The applicants are in jail since 09.05.2024. The case is triable by Judicial Magistrate First Class and final conclusion of trial will take sufficient long time. Under these circumstances, counsel prays for grant of bail to the applicants.

5. On the other hand, learned Govt. Advocate for the State has opposed the prayer.

6. After hearing learned counsel for the parties and custody period of the applicants, I am of the view that it is a case, in which applicants may be released on bail. Consequently, without commenting on the merits of the case, first bail applications under Section 439 of the Code of Criminal Procedure for grant of bail filed on behalf of applicants, stands **allowed**.

7. It is directed that applicants be released on bail on their furnishing a personal bond in the sum of **Rs.50,000/- (Rupees Fifty thousand only) each** with one solvent surety in the like amount to the satisfaction of the trial Court, for their regular appearance before the trial Court during trial with a condition that they shall remain present before the concerned Court on all the dates fixed by it during trial. They shall abide by all the conditions enumerated under Section 437(3) of Cr.P.C.

8. This order shall be effective till the end of the trial. However, in case of bail jump and breach of any of the conditions of bail, it shall become ineffective.

Certified copy as per rules.

VD

