

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

BEFORE

HON'BLE SHRI JUSTICE PREM NARAYAN SINGH

ON THE 10th OF JULY, 2024

MISC. CRIMINAL CASE No. 27465 of 2024

RAMBABU

Versus

THE STATE OF MADHYA PRADESH

.....
Appearance:

(BY SHRI AKHILESH KUMAR SAXENA, ADVOCATE)

(BY MS. URMILA MALVIYA, PANEL LAWYER)

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ORDER

Heard and perused the record.

2. This is the second bail application filed on behalf of the applicant under Section 439 of the Code of Criminal Procedure for grant of bail. The applicant is arrested in relation to Crime No.92/2024, dated (not mentioned), registered at Police Station-Machalpur, District-Rajgarh the offence under Section 34(2) of M.P. Excise Act, 1915. The applicant is in jail since 01.05.2024. First bail application of the applicant was dismissed as withdrawn vide order dated 31.05.2024 passed in M.Cr.C. No.21329/2024 with liberty to renew the prayer after one month from the date of order.

3 . As per prosecution story, it is alleged that 80 bulk liters of countrymade illicit liquor has been seized from the possession of the applicant.

4. Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated in this case. earlier bail application was dismissed as withdrawn with liberty to renew the prayer after one month from the date of order. Now, after completing the aforesaid period, this application

has been filed. The applicant is in jail since 01.05.2024. 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 applicant.

5. On the other hand, learned Panel Lawyer for the State has opposed the prayer and prayed for its rejection.

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

7. It is directed that applicant be released on bail on his furnishing a personal bond in the sum of **Rs.50,000/- (Rupees Fifty thousand only)** with one solvent surety in the like amount to the satisfaction of the trial Court, for his regular appearance before the trial Court during trial with a condition that he shall remain present before the concerned Court on all the dates fixed by it during trial. He 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.

(PREM NARAYAN SINGH)
JUDGE