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MCRC-1680-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE BINOD KUMAR DWIVEDI

ON THE 22nd OF JANUARY, 2025MISC. CRIMINAL CASE No. 1680 of 2025*MAHESH**Versus**THE STATE OF MADHYA PRADESH*

Appearance:

Shri Akhilesh Kumar Saxena - advocate for the petitioner.

Shri Hemant Sharma appearing on behalf of Advocate General.

ORDER

This first bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (Section 439 of Cr.P.C.) has been filed by the applicant Mahesh for grant of regular bail in relation to Crime/FIR No.226/2024 registered at Police Station Leemachouhan, district Rajgarh (M.P.) for commission of offence under Section 34(2) of the M.P. Excise Act. The applicant is in jail since 2.12.2024.

2. As per prosecution case, 60 bulk liters illicit liquor has been seized from the possession of applicant.

3. Learned counsel for the applicant submits that earlier cases registered against the applicant have already been disposed of except one. Applicant is in jail since 2.12.2024. Investigation is completed, chargesheet has been filed and conclusion of trial will take sufficient long time. Therefore, learned counsel prays for allowing the application for grant of bail.

4. *Per contra*, learned counsel for the respondent / State opposed the prayer on the ground that 3 cases of similar nature were registered against the applicant wherein in this case applicant has been convicted and imposed fine and one case of



IPC is still pending.

5. Heard learned counsel for the parties and perused the case diary.

6. Considering the facts and circumstances of the case, the period of custody and that investigation is completed, chargesheet has been filed and the applicant is not required for further custodial interrogation , this Court is inclined to grant benefit of bail to the applicant. Accordingly, without commenting on the merits of the case, bail application is allowed.

7. It is directed that the applicant be released on bail upon his furnishing personal bond in the sum of Rs.50,000/- (**Rupees Fifty Thousand Only**) with separate solvent surety in the like amount to the satisfaction of the trial Court, for his regular appearance before the concerned Court on all the dates fixed by the said Court, without any default, during trial. The applicant shall abide by all the conditions as enumerated under section 480(3) of BNSS with the further condition that he shall not involve in any offence of similar nature during pendency of trial.

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

Accordingly, this M.Cr.C. stands allowed and disposed off.

Certified copy, as per rules.

(BINOD KUMAR DWIVEDI)
JUDGE