



1 MCRC-44785-2025  
IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE

BEFORE  
HON'BLE SHRI JUSTICE HIMANSHU JOSHI  
ON THE 1<sup>st</sup> OF OCTOBER, 2025

MISC. CRIMINAL CASE No. 44785 of 2025

*KAILASH*  
*Versus*  
*THE STATE OF MADHYA PRADESH*

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Appearance:

Shri Ankish Shah - Advocate for the petitioner.

Shri Virendra Khadav- Govt. Advocate for the respondent/State.  
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ORDER

This is the first application filed by the applicant under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail relating to FIR/Crime No.392/2025 registered at Police Station - Unhel, District - Ujjain for the offence punishable under Sections 49-A of M.P. Excise Act, 1915. Applicant is in custody since 17.09.2025.

2. As per prosecution case, the allegation against the present applicant is that 7 bulk litres of illicit liquor (spurious liquor) has been seized from his possession. Accordingly, a case has been registered against him.

3. Learned counsel for the applicant has submitted that the applicant is innocent and has been falsely implicated and there is no direct evidence against the applicant. Trial will take long time for its conclusion, hence, the applicant be released on bail.

4. Learned counsel for State has opposed the bail application and has submitted that the applicant has one criminal case of similar nature registered against him, therefore, no case of bail is made out. Hence, the applicant is not



entitled to be released on bail.

5. In reply learned counsel for the petitioner contended that merely on the basis of criminal past, accused cannot be detained in custody for an indefinite period.

6. Heard the learned counsel for both the parties and perused the case diary.

7. Looking to the factual aspect of the case coupled with the fact that trial will take time to be concluded, this Court deems it fit to enlarge the applicant on bail. Hence, without commenting anything on the merits of the case, the application is **allowed**.

8. It is directed that **applicant** shall 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 of the like amount to the satisfaction of the trial Court concerned for her appearance before the said Court on all such dates as may be fixed by that Court in this regard during pendency of trial. It is further directed that the applicant shall comply with the provisions of Section 480(3) of BNSS.

9. It is made clear that if FSL report reveals any poisonous substance in the liquor, this bail order shall stand cancelled without further reference to this Court and the applicant shall surrender forthwith.

10. Accordingly, Misc. Criminal Case stands disposed of.

Certified copy as per rules

(HIMANSHU JOSHI)  
JUDGE