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MCRC-45363-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE HIMANSHU JOSHI

ON THE 1st OF OCTOBER, 2025MISC. CRIMINAL CASE No. 45363 of 2025*MUKESH**Versus**THE STATE OF MADHYA PRADESH*

Appearance:

Shri Aditya Chouhan - Advocate for the applicant.

Shri Tarun Pagare - Government Advocate for the respondents State.

ORDER

This first bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (equivalent to Section 439 of Cr.P.C.) has been filed by the applicant **Mukesh S/o Kalu Ninama** for grant of regular bail, who has been arrested on 19/09/2025 in connection with Crime No.367/2025 registered at Police Station Bhatpachlana District Ujjain (M.P.) for commission of offences under Section 34(2) of M.P.Excise Act, 1915.

2. As per prosecution case, on 19.09.2025, 52.20 bulk liters illicit liquor has been seized from the possession of the present applicant. Accordingly, offence has been registered against him.

3. Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated in the crime. Sufficient evidence is not available on record to establish the complicity of the accused with the alleged crime. No further custodial interrogation of the applicant is required. Applicant is suffering jail incarceration since 19/09/2025. There is no likelihood of applicant's absconsion leaving his family, home and profession and also there is no likelihood



of tampering with evidence by applicant. Conclusion of the trial will take considerable long time, therefore, learned counsel prays for allowing the bail application and for grant of bail.

4. Per contra, learned counsel for the respondent / State has vehemently opposed the prayer and prays for dismissal of the bail application.

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

6. Considering the totality of the aforesaid facts and circumstances of the case and the fact that applicant is in custody since 19/9/2025, this Court deems it to be a fit case to release the applicant on bail. Therefore, without expressing any view on the merits of the case, the application is **allowed**.

7. It is directed that the applicant shall be released on bail on furnishing a personal bond in a sum of Rs.50,000/- (**Rupees Fifty Thousand Only**) with one surety in the like amount to the satisfaction of the trial Court concerned for his appearance before the said Court on all such dates as may be fixed in this regard during the pendency of trial. It is made clear that if during trial, applicant is found involved in any other case, then this bail application shall stand automatically cancelled.

8. It is further directed that the applicant shall comply with the provisions of Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita, 2023.

9. Accordingly, M.Cr.C. stands disposed of.

Certified copy as per rules.

(HIMANSHU JOSHI)
JUDGE

