

The High Court of Madhya Pradesh

M.Cr.C.No.44738/2018

(Pankaj Vishwakarma & ors Vs. State of M.P.)

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Jabalpur, Dated : 15-11-2018

Shri Umesh Tripathi, counsel for the applicants.

Shri Manish Awasthy, G.A., for the respondent/
State.

This is first application filed under Section 439 of the Cr.P.C. for grant of bail to the applicants.

The applicants have been arrested in connection with Crime No.396/2018, registered at Police Station Gosalpur, District Jabalpur, for the offences punishable under Section 34(2) of the M.P.Excise Act.

As per the prosecution story, the allegation against the applicants are that from their illegal possession 75 bulk liters of liquor was seized.

Learned counsel for the applicants has submitted that the applicants are innocent persons. The applicants are in custody since 23.10.2018. The trial will take a long time to conclude. It is further submitted that there is no likelihood of their absconding or tampering with the prosecution witness. Therefore, it is prayed that the applicants be released on bail.

Learned Government Advocate for State has opposed the application for bail.

Considering the facts and circumstances of the case, this application is allowed. It is directed that the applicants - **Pankaj Vishwakarma, Rahul Sonkar** and **Rajesh**, shall be released on bail on their furnishing personal bond in the sum of **Rs.30,000/- (Rupees thirty thousand only)** **each** with one solvent surety each of the like amount to the

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satisfaction of the trial Court. The applicants shall abide by the conditions as enumerated under Section 437(3) of the Cr.P.C. and in the event of breach of condition of bail, the trial Court will be competent to take coercive action against the applicants.

This M.Cr.C. stands **allowed** and disposed of.

C.C. as per rules.

(MOHD. FAHIM ANWAR)

JUDGE

M.