

**THE HIGH COURT OF MADHYA PRADESH**

**M.Cr.C. No. 51530/2019**

*(Mukesh Rajput Vs. The State of M.P.)*

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**Jabalpur, Dated: 11.12.2019**

Shri R.S. Patel, learned counsel for the applicant.

Shri R.P. Prajapati, learned Panel Lawyer for the respondent/State.

Heard on this **third** application for bail under Section **439** of Cr.P.C. filed on behalf of the applicant. The applicant is in jail in connection with Crime No.296/2019 registered at Police Station Baldeogarh, District Tikamgarh for offence punishable under Section 34 (2) of M.P. Excise Act.

His earlier first application for bail was dismissed on merits by this Court vide order dated 20.09.2019 passed in M.Cr.C. No.36011/2019 and second application for bail was dismissed as withdrawn vide order dated 01.11.2019 passed in M.Cr.C. No.43684/2019.

The case of the prosecution against the applicant is that the applicant along with other co-accused was carrying huge amount of liquor without having any valid authority or license.

Learned counsel for the applicant submits that this application for bail has been filed on change circumstances. The applicant is in judicial custody since 12.08.2019. He further submits that conclusion of the trial will take considerable time, therefore, it has been prayed that the applicant may be released on bail.

Learned Panel Lawyer for the respondent/State, on the other hand, opposed the application.

Keeping in view the facts and circumstances of the case, particularly, looking to the gravity of offence and act of the applicant, in the opinion of this Court, it is not a fit case for grant of bail.

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Consequently, this application for grant of bail under Section **439** of Cr.P.C. filed on behalf of the applicant **Mukesh Rajput**, deserves to be and is accordingly **dismissed**.

**(Vishnu Pratap Singh Chauhan)**  
**Judge**

*pnm*