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**IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR**

**BEFORE
HON'BLE SHRI JUSTICE PREM NARAYAN SINGH**

ON THE 25th OF MAY, 2023

MISC. CRIMINAL CASE No. 22009 of 2023

BETWEEN:-

1. **SAGIR S/O SHRI JAMEEL, AGED ABOUT 24 YEARS,
OCCUPATION: LABOUR R/O DEVNAGAR POLICE
STATION THEMI TEHSIL AND DISTRICT
NARSINHPUR (MADHYA PRADESH)**

2. **RAJA KORI S/O SHRI UMESH KORI, AGED ABOUT
20 YEARS, OCCUPATION: LABOUR R/O
DEVNAGAR POLICE STATION THEMI TEHSIL AND
DISTRICT NARSINGHPUR (MADHYA PRADESH)**

.....APPLICANT

(BY SHRI RAVISHANKAR PATEL - ADVOCATE)

AND

**THE STATE OF MADHYA PRADESH THROUGH POLICE
STATION GOTERAON NARSINGHPUR R/O DISTRICT
NARSINGHPUR (MADHYA PRADESH)**

.....RESPONDENTS

***(BY SHRI AJIT RAWAT - GOVERNMENT ADVOCATE FOR THE
RESPONDENT/STATE)***

.....
*This application coming on for admission, this day, the court passed
the following:*

ORDER

This is the **first** bail application filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail relating to Crime No.309/2019 registered at Police Station Gotegaon, District Narsinghpur, (M.P.) for the offence under Section 34(2) of the M.P. Excise Act.

It is submitted by the learned counsel for the applicants that the

applicants have been falsely implicated in the case and they have not committed any offence in any manner. It is contended that it is a case of bail jump.

As per the prosecution story, it is alleged that 54 bulk litres of illicit liquor has been jointly seized from the possession of the present applicants. There is no evidence against the present applicants. The applicants are in custody since 30.04.2023 and 02.05.2023. The applicants are ready to comply with all the terms and conditions that may be imposed by this Court while considering their application for grant of bail. Trial will take time for its conclusion. Hence, prayer is made to enlarge the applicant on bail.

Learned Government Advocate for the State, in his turn, opposed the bail application stating therein that there is active participation of the present applicantx in the commission of offence. Hence he has prayed for dismissal of the application.

After hearing learned counsel for the parties and considering the material available on record, this Court is of the opinion that this is a fit case to extend benefit of bail to the applicantx. Hence, without commenting on the merits of the case, this bail application is allowed.

It is directed that applicants be released on bail on their furnishing a personal bond in the sum of **Rs.50,000/- (Rupees Fifty Thousand Only)** each with one solvent surety each in the like amount to the satisfaction of the Trial Court for their appearance before the concerned Court on the dates so fixed in this regard during pendency of trial. It is further directed that the applicants shall comply with the provisions of Section 437(3) of the Cr.P.C.

This order shall be effective till the end of the trial, however, in case of bail jump and breach of any of the pre-condition of bail, it shall become ineffective.

Certified copy as per rules.

(PREM NARAYAN SINGH)
V. JUDGE

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