

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

BEFORE

HON'BLE SHRI JUSTICE SANJAY DWIVEDI

ON THE 28th OF JUNE, 2024

MISC. CRIMINAL CASE No. 25616 of 2024

(UMESH RAI AND OTHERS

Vs

THE STATE OF MADHYA PRADESH)

Appearance:

(SHRI ASHISH DATTA - ADVOCATE FOR THE APPLICANTS.)

*(SHRI L.A.S. BAGHEL - GOVERNMENT ADVOCATE FOR THE
RESPONDENT/STATE.)*

ORDER

This first application under Section 439 of the Code of Criminal Procedure has been filed on behalf of the applicants for grant of bail in connection with FIR No.466/2024 registered at Police Station Gorakhpur, District Jabalpur, for the offence under Section 34(2) of the Excise Act.

As per case of prosecution, the applicants were found in illegal possession of 180 bulk liters of liquor.

Learned counsel for the applicants submits that the applicants are in jail since 06.06.2024. He submits that the offence is triable by the Court of Judicial Magistrate First Class and trial would take time to be concluded. Therefore, he prays that considering the aforesaid facts and circumstances of the case, the applicants may be enlarged on bail.

On the other hand, learned Panel Lawyer has opposed the prayer of bail.

Considering the arguments advanced by learned counsel for the parties and on perusal of case diary, I am inclined to enlarge the applicants on bail. Therefore, without commenting anything on the merits of the case, this application is **allowed**.

It is directed that the applicants be released on bail upon their furnishing a personal bond in the sum of **Rs.1,00,000/- (Rupees One Lac)** each with one solvent surety each of the like amount to the satisfaction of the trial Court concerned for their appearance on the dates given by it.

It is further directed that the applicants shall abide by the conditions enumerated in Section 437(3) of the Code of Criminal Procedure.

(SANJAY DWIVEDI)
JUDGE

rao

