

**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. 26316 of 2024

(SANJEEV RAI

Vs

THE STATE OF MADHYA PRADESH)

Appearance:

(SHRI VIKAS JYOTISHI - ADVOCATE FOR THE APPLICANT)

*(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 applicant for grant of bail in connection with FIR No.146/2024 (wrongly mentioned as FIR No.355/2024 in the impugned order) registered at Police Station Orchha, District Niwari, for the offence under Section 34(2) of the Excise Act.

As per case of prosecution, the applicant was found in illegal possession of 72 bulk liters of liquor.

Learned counsel for the applicant submits that the applicant is in jail since 24.06.2024. 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 applicant 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 applicant on bail. Therefore, without commenting anything on the merits of the case, this

application is **allowed**.

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

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

(SANJAY DWIVEDI)
JUDGE

dm

