
Sanwant Vs State Of Madhya Pradesh

Miscellaneous Criminal Case No. 15499 Of 2023

Court: Madhya Pradesh High Court (Indore Bench)

Date of Decision: April 17, 2023

Acts Referred:

Code Of Criminal Procedure, 1973 " Section 437(3), 439#Madhya Pradesh Excise Act, 1915
" Section 34(2)

Hon'ble Judges: Subodh Abhyankar, J

Bench: Single Bench

Advocate: Shubham Arya, Shalabh Sharma

Final Decision: Allowed

Judgement

Subodh Abhyankar, J

They are heard. Perused the case diary / challan papers.

This is the applicant's first application under Section 439 of Criminal Procedure Code, 1973, as he / she is arrested in connection with Crime

No.04/2023 registered at Police Station-Boda, Rajgarh (MP) for offence punishable under Sections 34(2) of the M.P. Excise Act.The applicant is in

custody since 03.01.2023.

The allegation against the applicant is that he was also involved in the aforesaid offence wherein 60 bulk liters of unauthorized liquor has been seized

from his possession.

Counsel for the applicant has submitted that the charge sheet has already been filed and the applicant is lodged in jail since 03.01.2023 and no other

criminal case registered against the applicant and the final conclusion of the trial is likely to take a long time. Thus,it is prayed that the applicant be

released on bail.

Counsel for the respondent / State, on the other hand, has opposed the prayer. However, it is not denied that no other criminal case has been

registered against the applicant.

On due consideration of rival submissions and perusal of the case-diary, taking note of the fact that no recovery has been effected from the present

applicant, this Court is inclined to allow the present application.

Accordingly, without commenting anything on merits of the matter, the present application for grant of bail is allowed. The applicant is directed to be

released on bail on his furnishing a personal bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with one surety in the like amount to

the satisfaction of the Trial Court for his / her appearance, as and when directed. It is also directed that the applicant shall be abide by the conditions

as enumerated under Section 437(3) of Cr.P.C.

This order shall be effective till the end of the trial, however, in case of bail jump, it shall become ineffective.

Certified copy, as per rules.