
(2023) 07 MP CK 0108

Madhya Pradesh High Court

Case No: Miscellaneous Criminal Case No. 32017 Of 2023

Sanad Rawat

APPELLANT

Vs

State Of Madhya
Pradesh

RESPONDENT

Date of Decision: July 24, 2023

Acts Referred:

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

Hon'ble Judges: Dinesh Kumar Paliwal, J

Bench: Single Bench

Advocate: Kamlesh Singh, Manoj Singh

Final Decision: Allowed

Judgement

Dinesh Kumar Paliwal, J

1. This is first bail application filed by the applicant under Section 439 of the Code of Criminal Procedure for grant of regular bail relating to FIR

No.233/2023 dated 13.05.2023, registered at P.S.- Surkhi District - Sagar (M.P.) for the offence punishable under Section 34(2) of M.P. Excise Act.

He is in detention since 06.07.2023.

2 . As per the prosecution story, on receiving an information from an informant, police of concerned police station seized 72 bulk litres of country

made liquor from possession of co-accused Kamlesh. FIR was registered.

3 . Learned counsel for the applicant submitted that applicant is in jail since 06.07.2023. He has not committed any crime and nothing has been seized

from his possession. He has been falsely implicated. The trial of the case will take considerable time. Co-accused has already been released on bail by

this Court vide order dated 12.07.2023 passed in M.Cr.C.No.23356 of 2023. Therefore, it is prayed that the applicant be released on bail pending the trial.

4. On the other hand, learned counsel for the State has opposed grant of bail to the applicant.

5. Having taken into consideration all the facts and circumstances of the case and the fact that trial of the case will take considerable time, I am

inclined to release the applicant on bail. Consequently, this bail application under Section 439 of the Code of Criminal Procedure for grant of bail filed

on behalf of applicant, stands allowed.

6. It is directed that applicant - Sanad Rawat be released on bail on his furnishing a personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand

only) with one solvent surety in the like amount to the satisfaction of the trial Court, for his regular appearance before the trial Court during trial with a

condition that he shall remain present before the concerned Court on all the dates fixed by it during trial. He shall abide by all the conditions

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

7. This order shall be effective till the end of the trial. However, in case of bail jump and breach of any of the conditions of bail, it shall become

ineffective.

Certified copy as per rules.