

(2026) 01 MP CK 0637

Madhya Pradesh High Court

Case No: Miscellaneous Criminal Case No. 58036 Of 2025

Rajendra

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision: Jan. 16, 2026

Acts Referred:

- Bharatiya Nagarik Suraksha Sanhita, 2023-Section 483
- Code Of Criminal Procedure, 1973-Section 437(3), 439
- Madhya Pradesh Excise Act, 1915-Section 34(2)
- Bharatiya Nyaya Sanhita, 2023-Section 281, 324(4)(B)
- Electricity Act 2003-Section 139

Hon'ble Judges: Subodh Abhyankar, J

Bench: Single Bench

Advocate: Harsh Shrivastava, Hemant Sharma, Diksha Shrivastava

Final Decision: Allowed

Judgement

Subodh Abhyankar, J

1] They are heard and perused the case diary.

2] This is the applicant's first bail application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023/ Section 439 of Cr.P.C. as he is implicated in connection with **Crime No.937/2025 registered at Police Station Khategaon District-Dewas (MP)** for offence punishable under Sections 34(2) and 46 of M.P. Excise Act and section 281, 324(4)(B) of BNS Act and section 139 of the Electricity Act 2003. The applicant is in custody since 23.11.2025.

3] The allegation against the applicant is of his involvement in the aforesaid case, wherein 1050 bulk litres of unauthorized liquor has been seized on 12.11.2025.

4] Counsel has submitted that the applicant was the driver of the vehicle, and he fled away from the spot, and subsequently he was arrested on 23.11.2025 and admittedly the liquor was not seized from his conscious possession. It is further submitted that, considering the fact that the applicant was arrested after around 11 days from the date of the incident, there are no criminal antecedents against him, and the charge sheet has already been filed, thus, the bail application deserves to be allowed.

5] Counsel for the State has opposed the prayer.

6] Having considered the rival submissions, perusal of the case diary, and that the charge sheet has already been filed, and that the applicant is lodged in jail since 23.11.2025 and the conclusion of trial will take sufficiently long time, this Court is inclined to allow the present application.

7] Accordingly, without commenting on the merits of the case, the application filed by the applicant is hereby allowed. The applicant is directed to be released on bail upon furnishing a personal bond in the sum **of Rs.25,000/- (Rupees Twenty Five Thousand) with one solvent surety** of the like amount to the satisfaction of the trial Court for his/her regular appearance before the trial Court during trial with a condition that he / she shall remain present before the court concerned during trial and shall also abide by the conditions enumerated under Section 437 (3) Criminal Procedure Code, 1973.

8] Accordingly, the application is allowed and disposed of. C.c. as per rules.