

(2024) 06 MP CK 0046
In the Madhya Pradesh High Court
Case No : MCRC No. 22477 of 2024

Hemraj Vanshkar And Others @ APPELLANT @ Hash State of Madhya Pradesh

Date of Decision : 14-06-2024

Acts Referred:

Code of Criminal Procedure, 1973 — Section 439
Indian Penal Code 1860 — Section 147, 148, 323, 324, 294, 506, 326

Citation : (2024) 06 MP CK 0046

Hon'ble Judges : Amar Nath (Kesharwani), J

Bench : Single Bench

Advocate : Ghanshyam Pandey, Anoop Sonkar

Final Decision : Allowed

Judgement

case diary is perused. Learned counsel for the rival parties are heard. This is the first application filed u/S.439 of Cr.P.C. by the petitioner for grant of bail. The petitioner has been arrested on 13.05.2024 by Police Station Vijay Nagar, Jabalpur in connection with Crime No.183 of 2024 registered in relation to offences punishable u/S. 34(2) of teh M.P. Excise Act.

The case of the prosecution is that 56 bulk litre illicit liquor was seized from the possession of co-accused and the petitioner. The charge sheet has been filed therefore, no further custodial interrogation is necessary. The petitioner has criminal antecedents, therefore, this Court is inclined to grant bail to the petitioner but with certain stringent conditions. Accordingly, without expressing any opinion on merits of the case, this application is allowed and it is directed that Petitioner- Sahil Ben be 1 released on bail on furnishing a personal bond in the sum of Rs.50,000/- (Rs. Fifty Thousand only) with two solvent sureties of the like amount to the satisfaction of concerned Trial Court.

This order will remain operative subject to compliance of the following conditions by the petitioner:-

1. The petitioner will comply with all the terms and conditions of the bond

executed by him;

2. The petitioner will cooperate in the trial;

3. The petitioner will not indulge himself in extending inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to the Police Officer, as the case may be;

4. The petitioner shall not commit an offence similar to the offence of which he is accused;

5. The petitioner will not seek unnecessary adjournments during the trial;

6. The petitioner will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be.

7. The petitioner shall mark his appearance at the local police station within which his residence falls once in every month and in case of any absence on any occasion, the police shall report the matter to the concerned Trial Judge who shall be free to cancel the bail granted to the petitioner by this Court without referring the matter to this Court.

A copy of this order be sent to the Court below for compliance.

Certified copy as per rules.