

(2020) 11 MP CK 0073

In the Madhya Pradesh High Court

Case No : Miscellaneous Criminal Case No. 44992 Of 2020

Shubham

APPELLANT

Vs

State Of M.P

RESPONDENT

Date of Decision : 11-11-2020

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439

Citation : (2020) 11 MP CK 0073

Hon'ble Judges : Virender Singh, J

Bench : Single Bench

Advocate : Mukesh Sinjoniya, Gaurav Singh Chouhan

Final Decision : Allowed

Judgement

Virender Singh, J

1. As declared by petitioner, this is the third bail application u/S 439 of Cr.P.C.
2. In the wake of criminal record, first application was dismissed as withdrawn vide order dated 11.06.2020 passed in M.Cr.C. No.17173 of 2020. Second application was also withdrawn vide order dated 07.08.2020 passed in M.Cr.C. No.25879 of 2020 with liberty to file fresh application after three months.
3. Availing the liberty granted by this Court while deciding the second application, the petitioner has gain come before this Court for seeking bail.
4. The petitioner and co-accused -Bunty are arrested by the police on 12.05.2020 for having total 63 bulk litres illicit liquor in their joint possession.
5. Learned Counsel for the petitioner submits that looking to the period of custody, quantity seized from the joint possession of petitioner and co-accused and upcoming Diwali festival and threat of life due to recent spread of Covid-19 (corona) Virus, the petitioner be granted bail.
7. Learned Panel Lawyer has opposed the bail application.

8. Considering the aforesaid and other facts and circumstances of the case, I deem it proper to release the accused/petitioner on bail. Therefore, without commenting on merits of the case, the application is allowed.

9. It is directed that the petitioner Shubham S/o Santosh Verma be released from custody on his furnishing a personal bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one solvent surety to the satisfaction of the Trial Court for his appearance before the Trial Court as and when required. He shall abide by the conditions as enumerated in S.437(3) of Cr.P.C.