

Heeralal Rai vs The State Of Madhya Pradesh on 10 February, 2025

NEUTRAL CITATION NO. 2025:MPHC-JBP:6178

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IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
BEFORE
HON'BLE SHRI JUSTICE DEVNARAYAN MISHRA
ON THE 10th OF FEBRUARY, 2025
MISC. CRIMINAL CASE No. 1544 of 2025
HEERALAL RAI
Versus
THE STATE OF MADHYA PRADESH
Appearance:
Shri J.P. Singrol - Advocate for the applicant.
Ms. Shikha Baghel - Panel Lawyer for the respondent/State.

ORDER

This is the first application filed by the applicant under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023/Section 439 of Cr.P.C., 1973 for grant of regular bail relating to FIR/Crime No.07 of 2025 registered at Police Station Dehat, District- Tikamgarh (M.P.) for the offence punishable under Section 34(2) of Excise Act.

2. Learned counsel for the applicant has submitted that the applicant is innocent and has been falsely implicated in the case on the ground that 60 bulk liters country made mahua liquor has been seized from the possession of the applicant. No case has been registered under Section 34(2) of M.P. Excise Act. The applicant is not required in the investigation. Trial will take time to be concluded. Hence, the applicant is entitled to be released on bail.

3. Learned counsel for the State has opposed the bail application and submitted that applicant has criminal record of one case registered under Section 34(1) of M.P. Excise Act, 1915, one case under Section 11(1)(D) and NEUTRAL CITATION NO. 2025:MPHC-JBP:6178 2 MCRC-1544-2025 11(1)(gha) of Cruelty to Animals, 1960, under Sections 6 and 7 of M.P. Krishak Pashu Parirakshan Adhiniyam, 1959 and under Sections 296 and 325 of BNSS has been registered. Thus, the applicant is not entitled for bail.

4. Heard the parties and perused the case diary.

5. Looking to the facts and circumstances of the case and the fact that trial will take time to conclude, this Court finds it to be a fit case to release the applicant on bail. Therefore, without commenting on the merits of the case, the application is allowed.

6. It is directed that applicant shall be released on bail on his furnishing personal bond in a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with one surety in the like amount to the satisfaction of the trial Court concerned for his appearance before the concerned Court on all such dates as may be fixed by that Court in this regard during the pendency of trial.

7. It is further directed that the applicant shall comply with the provisions of Section 480(3) of BNSS.

8. Accordingly, this M.Cr.C. stands disposed of.

9. C.C. as per rules.

(DEVNARAYAN MISHRA) JUDGE AT