

**IN THE HIGH COURT OF MADHYA PRADESH  
AT GWALIOR**

**BEFORE**

**HON'BLE SHRI JUSTICE ATUL SREEDHARAN**

**ON THE 24<sup>th</sup> OF JANUARY, 2023**

**MISC. CRIMINAL CASE No.1492 of 2023**

**Between:-**

**LAXMAN @ KALIYA S/O LATE SHRI  
RAMKISHAN KOLI, AGED ABOUT 44 YEARS,  
OCCUPATION: LABOUR R/O TAPOO MOHALLA  
RAMPAYGA ROAD KAMPOO, DISTRICT  
GWALIOR (MADHYA PRADESH)**

**.....APPLICANT**

**(BY SHRI ANANT BANSAL- ADVOCATE)**

**AND**

**STATE OF MADHYA PRADESH, THROUGH  
POLICE STATION KAMPOO DISTRICT  
GWALIOR (MADHYA PRADESH).**

**.....RESPONDENT**

**(BY SHRI BPS CHAUHAN – PUBLIC PROSECUTOR)**

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This application coming on for admission this day, the court passed the following:

**ORDER**

This is the **first** application under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail to applicant Laxman alias Kaliya in connection with Crime No.377/2021 for the offences punishable under Sections 34 and 49-A of the M.P. Excise Act, 1915.

The applicant is in judicial custody since 05-12-2022. From his

possession about 4 liters of alcohol was seized without licence and initially he was let off by the police after issuing notice under Section 41-A of Cr.P.C. Pursuant thereto at the time of filing of charge-sheet, FSL report showed that alcohol was unfit for human consumption. Thereafter, he was taken into custody on 05-12-2022.

Learned counsel for the State while opposing the bail application for grant of bail has stated that applicant has antecedents of 16 cases however, applicant does not have any other case of 2021 but for the present case.

Under the circumstances, in view of what has been argued and considered by this Court hereinabove, application is allowed. It is directed that the applicant herein shall be enlarged on bail upon his furnishing a personal bond in the sum of **Rs.50,000/- (Rs. Fifty Thousand Only)** with one solvent surety in the like amount to the satisfaction of the learned trial court.

Certified copy as per rules.

**(Atul Sreedharan)**  
**Judge**