

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SMT. JUSTICE ANURADHA SHUKLA

ON THE 8th OF JULY, 2025

MISC. CRIMINAL CASE No. 27714 of 2025

RAJABHAI THAKUR

Versus

THE STATE OF MADHYA PRADESH

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Appearance:

Shri P. S. Tomar - Advocate with Ms. Arzoo Ali - Advocate for the applicant

Shri Manoj Kushwaha - Panel Lawyer for the State.
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ORDER

This is first application filed by applicant **Rajabhai Thakur** under Section 438 of Cr.P.C. 1973 (Section 482 of B.N.S.S., 2023) for grant of anticipatory bail. The applicant apprehends his arrest in connection with Crime No.196/2025 dated 12.04.2025 registered at Police Station Rahatgarh, district Sagar, for an offence punishable under Section 34(2) of the M.P. Excise Act.

This first anticipatory bail application has been argued on the grounds that applicant is innocent and has been falsely implicated in this case; no illicit liquor was seized from his possession and he does not have any criminal antecedents. A request has, therefore, been made to allow the application.

Counsel for the State has opposed the application on the grounds that applicant was seen by the police party having a plastic bag in his possession, but by the time it reached to him he fled away leaving behind the bag and

upon its search, 54 bulk liters of liquor was recovered by the police. It is though admitted that applicant has no criminal antecedents, a request has been made to dismiss the application.

Counsel for both the parties have been heard and the case diary has been perused.

Having considered the fact that applicant is not having criminal antecedents under the provisions of M.P. Excise Act and the learned court below has dismissed his application by applying the provision of Section 59A of the M.P. Excise Act, this court considers appropriate to allow the application. Thus, without commencing on merits of the case, the application for anticipatory bail is **allowed**.

It is directed that in the event of arrest, the applicant shall be enlarged on bail on his furnishing personal bond in the sum of **Rs.50,000/- (Rupees Fifty Thousand Only)** with one solvent surety in the like amount to the satisfaction of the Arresting Officer for his appearance before him during the course of investigation or before the trial Court concerned during trial, as the case may be.

It is further directed that applicant shall abide by all the conditions as enumerated under Section 482(2) of the BNSS. In case, the applicant fails to co-operate in investigation, this bail order may be considered for cancellation.

Accordingly, this M.Cr.C. stands **allowed and disposed of**.

(ANURADHA SHUKLA)
JUDGE

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