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

**HON'BLE SHRI JUSTICE SANJEEV S KALGAONKAR**

**ON THE 22<sup>nd</sup> OF MARCH, 2024**

**MISC. CRIMINAL CASE No. 11420 of 2024**

**BETWEEN:-**

**MURAT KANJAR S/O SHRI TAKHAT SINGH KANJAR,  
AGED ABOUT 41 YEARS, OCCUPATION: AGRICUTURIST  
NEAR FOURLINE MAHARANA PRATAP MOHALLA  
WARD NO 14 POLICE STATION KARERA DISTRICT  
SHIVPURI (MADHYA PRADESH)**

**.....APPLICANT**

**(BY SHRI SOORAJ BHAN LODHI - ADVOCATE )**

**AND**

**THE STATE OF MADHYA PRADESH THROUGH POLICE  
STATION KARERA DISTRICT SHIVPURI (MADHYA  
PRADESH)**

**.....RESPONDENT**

**(BY SHRI NEERAJ DHAMANIYA- PANEL LAWYER)**

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

**ORDER**

**ORDER**

This **first** bail application has been filed by applicant under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail in connection with Crime No.147 of 2024 registered at Police Station Karera, District Shivpuri (M.P.) for offence punishable under Section 34(2) of M.P. Excise Act. The applicant is in judicial custody since 28.02.2024.

As per the case of prosecution, on 27.02.2024, on secret information, SI K.P. Sharma of Police Station Karera, District Shivpuri along with police force

reached near Kanjar Dera, Karera and intercepted HF Deluxe Motorcycle No.MP 33 MV 9809. The police force chased the riders of Motorcycle, but they fled away leaving Motorcycle on the spot. On search, four Plastic cans containing 200 bulk liters of country-made raw liquor tied on motorcycle were seized. Police Station Karera, District Shivpuri registered FIR at Crime No.147 of 2024 for offence punishable under Section 34(2) of M.P. Excise Act. Statements of witnesses have been recorded. Thereafter, Murat Kanjar was arrested on 28.02.2024. He is in custody ever since. Investigation is underway.

Learned counsel for the applicant, in addition to the grounds mentioned in the application, submits that applicant has falsely been implicated in the matter. No incriminating article was seized from conscious possession of the applicant. No offence as alleged is made out against him. The applicant is aged around 40 years and is Agriculturist by profession. He is sole bread earner in the family, therefore, there is no likelihood of absconsion leaving his family, home and profession. There is no likelihood of tampering with the evidence by the applicant. No criminal antecedent is reported against the applicant. The alleged offence is triable by Judicial Magistrate First Class. The trial would take time to complete. Co-accused Sonu has been granted benefit of bail by this Court vide order dated 14.03.2024 passed in MCRC No.10749/2024. Therefore, the applicant may be extended the benefit of bail.

*Per contra*, learned counsel for the respondent/State opposes the bail application on the gravity of alleged offence.

Heard learned counsel for the parties and perused the case diary.

Considering the arguments advanced by both the parties and overall circumstances of the case but without commenting on merits of the case, this Court is inclined to release the applicant on bail. Thus, the application is

allowed.

Accordingly, it is directed that applicant **Murat Kanjar** shall be released on bail in connection with Crime No.147 of 2024 registered at Police Station Karera, District Shivpuri (M.P.) for offence punishable under Section 34(2) of M.P. Excise Act, upon furnishing a personal bond in the sum of **Rs. 50,000/- (Rs. Fifty Thousand Only)** with one solvent surety of the same amount to the satisfaction of the Trial Court, for compliance with the following conditions, : (For the sake of convenience of understanding by accused and surety, the conditions of bail are also reproduced in Hindi as under):-

(1) Applicant shall remain present on every date of hearing as may he directed by the concerned court;

(1) आवेदक संबंधित न्यायालय के निर्देशानुसार सुनवाई की प्रत्येक तिथि पर उपस्थित रहेगा।

(2) Applicant shall not commit or get involved in any offence of similar nature;

(2) आवेदक समान प्रकृति का कोई अपराध नहीं करेगा या उसमें सम्मिलित नहीं होगा।

(3) Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them/him/her from disclosing such facts to the Court or to the police officer;

(3) आवेदक प्रकरण के तथ्यों से परिचित किसी व्यक्ति को प्रत्यक्ष या अप्रत्यक्ष रूप से प्रलोभन, धमकी या वचन नहीं देगा, जिससे ऐसा व्यक्ति ऐसे तथ्यों को न्यायालय या पुलिस अधिकारी को प्रकट करने से निवारित हो।

(4) Applicant shall not directly or indirectly attempt to temper with the evidence or allure, pressurize or threaten the witness;

(4) आवेदक प्रत्यक्ष या अप्रत्यक्ष रूप से साक्ष्य के साथ छेड़छाड़ करने का या साक्षी या

साक्षियों को बहलाने-फुसलाने, दबाव डालने या धमकाने का प्रयास नहीं करेगा।

(5) During trial, the applicant shall ensure due compliance of provisions of Section 309 of Cr.P.C. regarding examination of witnesses in attendance;

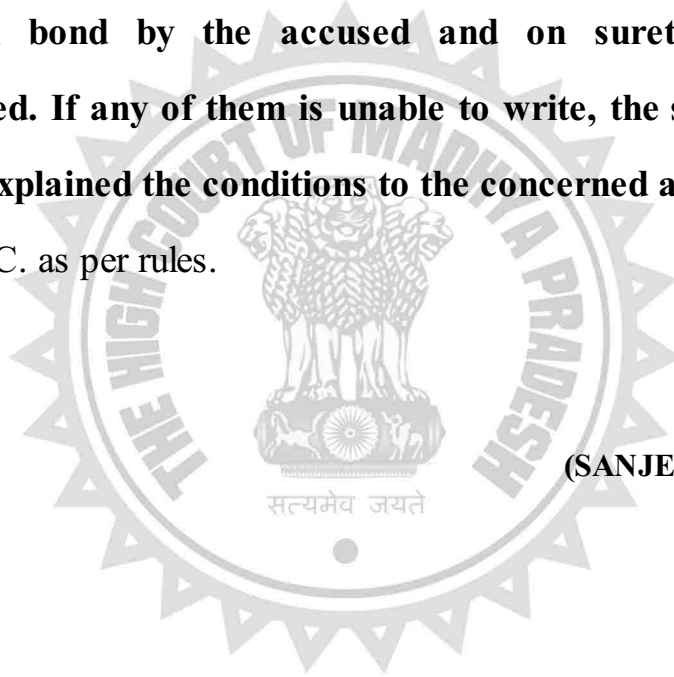
(5) विचारण के दौरान, उपस्थित गवाहों से परीक्षण के संबंध में आवेदक धारा 309 दं.प्र.सं. के प्रावधानों का उचित अनुपालन सुनिश्चित करेगा।

This order shall be effective till the end of trial. However, in case of breach of any of the precondition of bail, the Trial Court may consider on merit cancellation of bail without any impediment of this order.

**The trial Court shall get these conditions reproduced on the personal bond by the accused and on surety bond by the surety concerned. If any of them is unable to write, the scribe shall certify that he had explained the conditions to the concerned accused or the surety.**

C.C. as per rules.

Vijay



**(SANJEEV S KALGAONKAR)  
JUDGE**