

Bhag Chand Vs. State

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Court : Madhya Pradesh

Decided On : Nov-29-2001

Reported in : 2002(1)MPHT22

Judge : N.S. Azad, J.

Acts : Code of Criminal Procedure (CrPC) , 1974 - Sections 437; Excise Act - Sections 34(1-A) and 49(A)

Appeal No. : Misc. Criminal Case No. 5364/2001

Appellant : Bhag Chand

Respondent : State

Advocate for Def. : D. Joshi, Panel Lawer

Advocate for Pet/Ap. : Alok Tapikar, Adv.

Judgement :
ORDER

N.S. Azad, J.

1. C.D. of Crime No. 113/2001 of P.S. Kotwali, Damoh Dchat, Dist. Damoh, pertaining to offences punishable under Sections 34(1-A) and 49(A) of the Excise Act perused.

2. On 11th February, 2001, this petitioner is alleged to have been found in possession of 60 litres of country made liquor, who is in custody since 12th February, 2001.

3. A perusal of order dated 11th July, 2001 passed by Third Addl. Sessions Judge, Damoh, on petitioner's bail application discloses that the charge against this petitioner was framed on 11th May, 2001. Therefore, keeping in view the provision contained in Sub-section 6 of Section 437 of the Cr.PC, it is ordered that the petitioner shall be released on his executing a personal bond worth Rs. 15,000/- with a surety in the like amount to the satisfaction of JMFC concerned.

C.C. as per rules.

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