

**IN THE SUPREME COURT OF INDIA**  
**CRIMINAL APPELLATE JURISDICTION**  
**CRIMINAL APPEAL NO.            OF 2021**  
**(Arising out of SLP (Criminal) No.3324 of 2021)**

**SANDEEP**

**Appellant**

**VERSUS**

**STATE OF MADHYA PRADESH**

**Respondent**

**O R D E R**

Leave granted.

This appeal challenges the order dated 09.04.2021 passed by the High Court of Madhya Pradesh, Bench at Indore rejecting M.Cr.C. No.16451 of 2021.

The appellant is facing prosecution pursuant to FIR No.414 Dated 11.08.2020 registered with Police Station Bilpank, District Ratlam, for the offence punishable under Section 34(2) of the M.P. Excise Act, and he has been in custody since 17.11.2020.

The application for bail having been rejected by the High Court, the present appeal has been preferred.

Considering the custodial period already undergone by the appellant up till now, in our considered view, the case for bail is made out.

We, therefore, allow this appeal and while setting-aside the order passed by the High Court, direct that (i) the appellant shall be produced before the concerned Trial Court within three days from today; and (ii) the Trial Court shall release the appellant on bail, subject to such conditions as the Trial Court may deem appropriate to impose.

With the aforesaid observations, the appeal is allowed.

.....J.  
[UDAY UMESH LALIT]

.....J.  
[B.R. GAVAI]

NEW DELHI;  
MAY 11, 2021.

ITEM NO.28

COURT NO.3 SECTION II-A  
(HEARING THROUGH VIDEO CONFERENCING)

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (Cr1.) No.3324/2021

(Arising out of impugned final judgment and order dated 09-04-2021 in MCRC No.16451/2021 passed by the High Court Of M.P. At Indore)

SANDEEP

Petitioner(s)

VERSUS

STATE OF MADHYA PRADESH

Respondent(s)

(IA No.56103/2021 - FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT; and, IA No.56101/2021 - FOR EXEMPTION FROM FILING O.T.)

Date : 11-05-2021 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT  
HON'BLE MR. JUSTICE B.R. GAVAI

For Petitioner(s) Mr. B.D. Rathi, Sr. Adv.  
Mr. Vikas Rathi, Adv.  
Mr. Samir Malik, AOR  
Ms. Neha Rathi, Adv.  
Mr. Akash Rathi, Adv.  
Ms. Deepti Rathi, Adv.  
Mr. Mitesh Patidar, Adv.  
Ms. Nida Khan, Adv.

For Respondent(s) Mr. Pashupati Nath Razdan, Adv.  
Mr. Varun Kumar Garg, Adv.  
Mr. Palav Agarwal, Adv.  
Mr. Ashutosh Kumar, Adv.  
Mr. Sudhanshu Kaushesh, Adv.  
Mr. K.P. Jayaram, Adv.  
Mr. Astik Gupta, Adv.  
Ms. Maitrayee Jagat Joshi, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

Leave granted.

The appeal is allowed, in terms of the Signed Order.

Pending applications, if any, also stand disposed of.

(MUKESH NASA)  
COURT MASTER

(NISHA TRIPATHI)  
BRANCH OFFICER

(Signed Order is placed on the File)