

**IN THE SUPREME COURT OF INDIA**  
**CRIMINAL APPELLATE JURISDICTION**  
**CRIMINAL APPEAL NO. 1850 OF 2017**  
**[Arising out of SLP (Crl.) No. 7081 of 2017]**

SANJAY MEWARA

... APPELLANT

VERSUS

STATE OF RAJASTHAN

...RESPONDENT

**O R D E R**

1. Leave granted.
2. This appeal has been filed against the order dated 23.08.2017 passed by the High Court of Judicature for Rajasthan Bench at Jaipur in S.B. Criminal Miscellaneous 2<sup>nd</sup> Bail No. 10802/2017, whereby the High Court has rejected the Application for Bail under Section 439 of Code of Criminal Procedure, 1908, preferred by the appellant.
3. Facts of the case are as under:

FIR No. 377 of 2017 dated 11.06.2017 was filed against the accused-appellant at P.S. Beawar City, Rajasthan under Sections 19/54 of Rajasthan Excise Act alleging that the appellant was found in possession of 73.510 litres of liquor. According to the learned counsel for the respondent the appellant was in illegal possession of the said liquor. The charge-sheet has been filed before the Additional Chief Judicial Magistrate, Beawar. The applications for bail

preferred by the appellant have been rejected by the Court of Additional Session Judge, I, Beawar, District-Ajmer and High Court of Judicature for Rajasthan, Bench at Jaipur. The appellant is in jail for more than three months.

4. Having heard learned counsel for the parties, we are of the view that it is just and proper to release the appellant on bail. Therefore, we order the release the appellant on bail on execution of his personal bond for a sum of Rs. 10,000/- with one surety in the like sum, to the satisfaction the trial judge. We permit the trial judge to impose such conditions as he feels necessary for ensuring the appellant's attendance on the dates of posting in trial court.
5. The appeal is accordingly allowed.

.....**J.**  
**(J. CHELAMESWAR)**

.....**J.**  
**(S. ABDUL NAZEER)**

**New Delhi;**

**October 26, 2017.**

ITEM NO.12

COURT NO.2

SECTION II

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(s) for Special Leave to Appeal (Crl.) No(s). 7081/2017

(Arising out of impugned final judgment and order dated 23-08-2017 in SBCRLMB No. 10802/2017 passed by the High Court Of Judicature for Rajasthan at Jaipur)

SANJAY MEWARA

Petitioner(s)

VERSUS

THE STATE OF RAJASTHAN

Respondent(s)

(IA No.92102/2017-EXEMPTION FROM FILING O.T.)

Date : 26-10-2017 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J. CHELAMESWAR  
HON'BLE MR. JUSTICE S. ABDUL NAZEER

For Petitioner(s) Mr. Manohar Pratap, Adv.  
Ms. Manju Jetley, AOR

For Respondent(s) Ms. Ruchi Kohli, AOR  
Ms. Bhavya Tandon, 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 application(s), if any, stand disposed of.

(DEEPAK MANSUKHANI)  
AR CUM PS

(RAJINDER KAUR)  
COURT MASTER

(Signed order is placed on the file)