

Miscellaneous Criminal Case No.10014/2011**29.12.2011**

Shri Gaurav Laad, Advocate for the applicant.

Smt Mukesh Kumawat, Panel Lawyer for the NA/State.

Heard. Case diary perused.

By this application filed under Section 439 of the Cr.P.C. applicant Natthu Bhilala has moved this application for grant of bail being implicated in Crime No. 305/2011, registered by Police Station Mandleshwar, district Khargone for offence under Sections 504, 435 & 436/34 of the IPC.

Counsel for the applicant has vehemently urged the fact that the applicant has been falsely implicated in the matter. Even even if the prosecution allegations are considered, Counsel stated that there is no material evidence available on record to implicate the present applicant. Moreover, the challan has already been filed and nothing more remains to be recovered from the present applicant. The applicant is being 22 years of age, Counsel prayed for grant of bail since he has been arrested on 22.10.2011 is likely to deteriorate in custody.

Counsel for the respondent/State, on the other hand opposed the submissions and prayed for dismissal of the application.

Considering the above submissions and the material available in the case diary and looking to the young age of the applicant, I find it to be a fit case for grant of bail.

Accordingly, the application is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with one surety of like amount to the satisfaction of the trial Court for his appearance before the concerned trial Court on each date of hearing as may be fixed by the trial Court in this behalf during the pendency of trial.

It is further directed by way of abundant precaution that the applicant shall attend on each date of hearing of his trial before the concerned Court out of which this bail arises. In addition, he shall also mark his presence in the concerned police station on the first Sunday of every month between 10.00 a.m. to 12.00 noon during pendency of the trial. Any default in attendance in court and marking presence in the concerned police station, would result in cancellation of bail granted by this Court thereby entitling the police to take the applicant in custody immediately.

It is also directed that the applicant shall abide by all the conditions enumerated under Section 437(3) of the Cr.P.C.

Certified copy as per rules.

(Mrs. S.R. Waghmare, J.)