

31-05-2012

Shri S.K. Tiwari, Advocate for the applicant.

Shri Pramod Pachouri, Public Prosecutor for the respondent- State.

I.A. No.4899/2012 is heard and allowed.

Also heard learned counsel for both the parties.

This is first application under Section 439 of Cr.P.C. The applicant has been arrested by Police Station Radhogarh, District Guna (MP) in Crime No.362/2011 registered for the offences punishable under Sections 302, 201 and 120-B of IPC.

Learned counsel for the applicant submits that the applicant is innocent. He has been falsely implicated in the case. The applicant is in custody since 30/12/2011. Charge-sheet has already been filed. It is further submitted that co-accused Devpal Singh and Lakhman Singh have been enlarged on bail vide order dated 14/03/2012 and 21/03/2012 by this Court in M. Cr. C. No.1335/2012 and M.Cr.C. No.1571/2012. Case of the present applicant is akin to that of co-accused. Hence, prayed for grant of bail.

Learned Public Prosecutor for respondent-State has

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opposed the bail application.

Looking to the parity with co-accused who have been enlarged on bail and also looking to the totality of facts and circumstances but without commenting on the merit of the case, the application is allowed. It is directed that the applicant shall be released on bail on his furnishing personal bond in the sum of **Rs.1,00,000/- (Rupees One Lac Only)** with two solvent sureties of **Rs.50,000/- each** in the like amount to the satisfaction of **Trial Court.**

C.C. as per rules.

(J.K. Maheshwari)
Vacation Judge

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