

MCRC. No. 9598/2013

**(SONU BAGHEL VS. STATE OF M.P.)**

**30.12.2013**

Shri Atul Sharma, Advocate for the applicant.

Shri A.S. Rathore, Panel Lawyer for the respondent - State.

Considering the reasons assigned in the application, I.A.No. 11795/2013, an application for urgent hearing during winter vacation, is hereby allowed.

Both parties heard.

This is first bail application filed by the applicant under Section 439 of Cr.P.C. for grant of bail. The applicant is in custody in connection with Crime No.704/2013 registered under Sections 376(2)G, 506B of IPC at Police Station Dabra, District Gwalior.

Learned counsel for the applicant submits that the statement of procecutrix namely Chandrakanta, aged about 19 years who is a married lady has been recorded in the Trial Court and she has not supported the prosecution story. The co-accused [Jitendra@Bunty](#) has already been enlarged on bail by this Court on 28.11.2013 in M.Cr.C. No. 9528/2013

The applicant is in custody since 11.10.2013, i and

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trial has not yet been come to an end.

On the other hand, learned Public Prosecutor opposes the prayer of the applicant for grant of bail.

Considering the overall facts and circumstances, without commenting on merits of the case and looking to period of custody of the applicant, the applicant deserves to be enlarged on bail, however, I allow this bail application and it is directed that applicant- Sonu Bagel be released on bail subject to his furnishing a personal bond to the tune of **Rs.50,000/- ( Rupees fifty thousand only)** with one surety of the like amount to the satisfaction of the concerned J.M.F.C./C.J.M for his appearance before him or Trial Court as the case may be on all the dates of hearing fixed in this behalf by the court concerned during trial.

CC as per rules.

**(J. K. Maheshwari)**  
**Vacation Judge**