

Satendra Singh Vs. State of M.P.

26/12/2013

Shri D.S.Tomar, Advocate for the applicant.

Shri Mohammad Irshad, Panel Lawyer for the respondent/State.

Heard.

Perused the case diary.

This is first bail application filed by the applicant under Section 438 of Cr.P.C. for grant of anticipatory bail.

The applicant is apprehending his arrest in connection with Crime No.47/10 registered at P.S. Devgarh, District Morena, for the offence punishable under Sections 34(1), 34(2), 41 and 42 of the Excise Act and Sections 294 and 336 of IPC.

As per prosecution case, on receipt of information, police reached near Koksingh Ka pura Ki Mod and found that truck No. MP07 G 2399 was parked on the road. On being checked, boxes containing English liquor were found. No one was found in the truck. Therefore, liquor, total 432 bulk liters, was seized. On the basis of statement recorded after one month, it was found that applicant was involved in the case.

Learned counsel for the applicant submits that applicant has not committed any offence and he has falsely been implicated in the case. He is not named in the FIR. Co-accused Ranglal has been enlarged on bail vide order dated 04/12/2013 passed in M.Cr.C.No.9776/2013 and case of the applicant is identical to that of co-accused. Hence,

prayed for anticipatory bail.

The application is opposed by learned Panel Lawyer.

Considering the facts and circumstances of the case, FIR does not disclose the name of the applicant and the case of the applicant is similar with the co-accused, this application is allowed and it is directed that in the event of arrest, applicant shall be enlarged on bail on his furnishing a personal bond in the sum of Rs.50,000/- (Rs. Fifty Thousand Only) with a surety bond in the like amount to the satisfaction of Arresting officer/competent Court. The applicant shall make himself available for interrogation by a police officer as and when required and he will co-operate in the investigation. He shall further abide by the other conditions enumerated in sub-section (2) of Section 438 of Cr.P.C.

This order shall remain operative for a period of sixty days and during this period the applicant is free to move the regular bail application before the concerned Court.

C.C. as per rules.

(D.K.Paliwal)
Vacation Judge