

**M.Cr.C. No.1485/2013**

**26.03.2013**

Shri G.P. Singh, learned Counsel for the applicant.

Shri Anil Ojha, learned Panel Lawyer for the respondent/State.

By this application filed under Section 439 of the Cr.P.C. applicant Nilesh has moved the application for grant of bail being implicated in Crime No.743/2012 registered by police station MIG, Indore for offence under Sections 307, 294, 34 of the IPC and 25 Arms Act.

Counsel for the applicant has vehemently urged the fact that the present applicant is only 18 years of age and a student. More importantly, Counsel submitted that main accused Golu @ Raghvendra has already been granted bail by this Court in M.Cr.C.No.1735/2013. Counsel submitted only the allegation against the applicant is having wielded baseball bat and only simple injury has been noted in the MLC. Hence Counsel prayed for grant of bail since the applicant has been arrested on 08.10.2012.

Counsel for the respondent/State, on the other hand, has opposed the submissions of the

Counsel for the applicant and has submitted that the applicant was fully implicated in the matter. He, however, candidly admitted that co-accused Golu @ Raghvendra has been granted bail by this Court. Counsel prayed for dismissal of the application.

On considering the above submissions, the impugned order and material available in the case diary and looking to the nature of allegations and fact that the applicant is in jail since 08.10.2012, I find that the application needs to be allowed in the interest of justice, considering the young age of the applicant and on the ground of parity alone.

However, stringent measures need to be imposed, therefore, it is ordered that the applicant be released on bail on his furnishing a bail 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 all dates of hearing as may be fixed by the Trial Court in this behalf during the pendency of trial.

By way of abundant caution, it is further directed that 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.

Cc. as per rules.

**(Mrs. S.R. Waghmare)**  
**Judge**

Jyoti