

Sonu Baghel Vs. State of M.P.30.4.2014

Shri Mahaveer Pathak, Advocate for the applicant.

Shri B.R. Pandey, PP for the respondent/State.

Heard on the bail application.

Perused the case diary

This is the first bail application under Section 439 of Cr.P.C. The applicant has been arrested in Crime No. 134/2014, registered at Police Station, Thatipur, District Gwalior under Sections 392 of IPC and under Section 11/13 of MPDVPK Act.

As per prosecution case while complainant was talking on her mobile phone, two persons came there on motorcycle and one of them snatched her mobile phone. Learned counsel for the applicant further submits that the name of the applicant has been mentioned by the other co-accused, whereas his name has not been mentioned in the FIR. The applicant has falsely been implicated in the case he has not committed any offence. The applicant is in custody since 28.3.2014 and trial will take some time.

The application is opposed by learned Public Prosecutor.

Considering the facts and circumstances of the case, 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.50,000/- (Rupees Fifty Thousand Only) with one solvent surety in the like amount to the satisfaction of Trial Court.

This order will remain operative subject to compliance of the following conditions by the applicant :-

1. The applicant will comply with all the terms and conditions of the bond executed by him;
2. The applicant will cooperate in the investigation/trial, as the case may be;
3. The applicant will not indulge himself in extending inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to the Police Officer, as the case may be;
4. The applicant shall not commit an offence similar to the offence of which he is accused;
5. The applicant will not seek unnecessary adjournments during the trial; and
6. The applicant will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be.

A copy of this order be sent to the Court concerned for compliance.

C.c. as per rules.

(D.K.Paliwal)

Judge

dcs