

29.05.2014

Shri Ravi Dwivedi, Advocate for the applicants.

Shri Devendra Choubey, Public Prosecutor, for the respondent/ State.

Heard.

Admit.

As per the declaration, this is the first bail application filed by the applicants under Section 439 of the Cr.P.C. for grant of bail.

The applicants are in jail since 01.05.2014 in connection with Crime No.78/2014 registered at Police Station Ishagarh, District Ashok Nagar (M.P.) for the offences punishable under Section 436 read with Section 34 of the IPC and Section 3 (2)(3) of the Scheduled castes and scheduled Tribes (Prevention of Atrocities) Act, 1989.

As per prosecution story, an FIR has been registered against the applicants, Trilok Singh and Bahadur Singh on the ground that on 25.02.2014 at about 11 pm, the complainant, Rambharose was sleeping at his hut. The complainant's wife, Munni Bai and his son Pappu woke up and found the hut burning. They shouted and saw three persons running from the scene of crime. It is alleged that Trilok Singh and Bahadur Singh along with another person were the culprits.

On behalf of the applicants, it is submitted that applicant's son, Bijender Singh lodged a report against the complainant, Rambharose and other persons under Section 324, 323, 504 read with section 34 of IPC at Police Station Isagarh, Distt. Ashok Nagar. The applicants contends that to pressurize the applicants to enter into compromise, this false report has been lodged to implicate the applicants.

On behalf of the State, the application has been vehemently

opposed.

Keeping in view that the applicants are in custody since 01.05.2014 and the trial will take considerable time to decide the case, I am of the considered view that it is a fit case to release the applicants on bail, therefore, without expressing any view on the merits of the case, the application is allowed and it is directed that the applicants shall be released on bail on their furnishing a personal bond in a sum of Rs.25,000/- (Rs. Twenty Five Thousand only) each with one surety each in the like amount to the satisfaction of the trial Court for securing their presence before the said Court on all the dates of hearing fixed in this regard during trial.

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

1. The applicants will comply with all the terms and conditions of the bond executed by him;
2. The applicants will cooperate in the investigation/trial, as the case may be;
3. The applicants will not indulge themselves in extending inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to the Police Officer, as the case may be;
4. The applicants shall not commit an offence similar to the offence of which they are accused;
5. The applicants will not seek unnecessary adjournments during the trial; and
6. In case of any breach of any of the conditions above the learned Trial Court would be at liberty to reconsider on the question of bail. Certified copy as per rules.

(ra)

(Sushil Kumar Palo)  
Vacation Judge