

M.Cr.C.No. 5205/2014

(Narayan Singh Vs. State of M.P.)

30.06.2014

Shri Deepak Shrivastava, Advocate for the applicant.

Shri Devendra Choubey, Dy. Govt Advocate for the respondent/State.

Case Diary is perused.

Learned counsel for the rival parties are heard.

Applicant apprehends arrest in connection with offences punishable u/Ss 147, 148, 149, 323, 294, 324, 506B, 427, 325, 326 of IPC and Sec 3(1)(v) & 3(1)(x) of SC/ST Act registered as Crime No.140/2014 at Police Station Chanderi (AJK), District Ashoknagar.

Learned Public Prosecutor for the State opposed the application and prayed for its rejection by contending that on the basis of the allegations and the material available on record, no case for grant of anticipatory bail is made out.

Though the name of applicant is mentioned in the FIR but he has caused minor injury with a kick blow and the grievous injury is attributed to co-accused Maharaj Singh.

The allegation against the applicant is of eviction of complainant from his house. The incident took place over the land belonging to one Lodhi who is said to be not belonging to SC/ST community. The humiliation and intimidation extended to the complainant who is said to be a member of SC/ST community. But the same does not seem to have been extended merely because the complainant was a member of SC/ST community, but on the dispute of harvesting of crops.

Similarly placed co-accused Gajram, Rajendra Singh and Shishupal have already been enlarged on bail by this Court on

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17.06.2014 in M.Cr.C.No. 4534/14.

Accordingly, without expressing opinion on merits of the case, I deem it appropriate to allow this application u/S 438 Cr.P.C in the following terms:

It is hereby directed that in the event of arrest, the applicant shall be released on bail on furnishing a personal bond of **Rs.50,000/-(Rupees Fifty Thousand only)** with two solvent sureties of the like amount to the satisfaction of Arresting Authority.

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.

(Sheel Nagu)
Judge