

MCRC.No.9751/2014

(Illi @ Suraypratap singh Vs. State of M.P.)

31.10.2014

Shri Ajay Chandra Sharma, Advocate for the applicant.

Shri Mukund Bhardwaj, Public Prosecutor for the respondent /  
State.

The case is listed today for admission.

Case diary is available.

Admit.

With the consent of the learned counsel for parties, matter is  
finally heard.

This is the first bail application under Section 439 of Cr.P.C.

The applicant has been arrested in connection with Crime  
No.742/2014 registered at Police Station, Bahodapur, District  
Gwalior, for the offence punishable under Section 11/13 of MPDVPK  
Act and Section 25/27 Arms Act.

As per prosecution case, on 17.09.2014 at 2.20 AM near Raj  
Studio Motizeel, the applicant along with four co-accused person  
armed with deadly weapon were found preparing for committing  
dacoity.

Learned counsel for the applicant submits that the applicant  
has been falsely implicated in this case and he has not committed  
any offence. The applicant is aged 19 year of age and he is in  
custody since 17.09.2014. Therefore, on these grounds learned  
counsel for the applicant prayed for grant of bail.

The prayer is opposed by the learned Public Prosecutor for  
the State.

Considering the facts and circumstances of the case, but

without expressing any view on the merits of the case, this application is allowed. It is directed that the applicant 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 he;
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 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/Investing Officer, as the case may be.

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

C.C. as per rules.

(Sushil Kumar Gupta)  
Judge