

**(Pancham Singh Vs. State of MP)****31.10.2014**

Shri P.S. Bhadriya, Advocate for the applicant.

Shri N.S. Kirar, Panel Lawyer for the respondent/State.

Shri Anvesh Jain, Advocate for complainant.

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 and 307 of IPC registered as Crime No.76/2014 at Police Station Sabalgarh, District Morena.

Learned Panel Lawyer 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.

The allegation against the applicant is of attempt to murder alongwith other co-accused. Perusal of the case diary and the chargesheet filed by the applicant indicate that the applicant is father and grandfather of the other co-accused and is alleged with exhortation, which has led to the other co-accused assaulting the injured. There is no overtact of the applicant assaulting to anyone.

Considering the above and since there are no criminal antecedents of the applicant, false/over implication of the applicant cannot be ruled out on *prima-facie* assessment and the material placed on record does not disclose possibility of the applicant fleeing from justice, this Court is inclined to extend the benefit of bail to the applicant.

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.1,00,000/- (Rupees One Lac 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**

**Mehfooz/-**