

Misc. Criminal Case No. 1370/2014

28.03.2014

Shri Nilesh Dave, learned counsel for the applicant.

Shri Rahul Vijaywargiya, learned PL for respondent/State.

Parties are heard.

This is second bail application filed by the applicant under Section 439 of Cr.P.C., on being rejection of first bail application as not pressed with a liberty to renew the prayer after three months. The applicant is in custody w.e.f. 22.03.13 in connection with Crime No. 38/2013 registered under Sections 395, 201 and 120 of IPC , registered at Police Station- Barud, Distict-Khargone.

Learned counsel for the applicant submits that the period of three months has already been lapsed and the other co-accused persons namely-Rajjab, Rehmat and Sanni have been granted bail by this Court and the case of the present applicant is similar to the case of the other co-accused persons and the period of custody of the applicant is more than one years, however, prayer is made to enlarge the applicant on bail.

On the other hand, learned PL for the State opposes the prayer for grant of bail.

After having heard learned counsel for the parties and on due consideration of the arguments and on perusal of the material

collected by the prosecution in case diary, without commenting on the merit of the case, this application is hereby allowed and directed that the applicant be released on bail subject to his furnishing personal bond to the tune of Rs.50,000/- with one surety in the like amount to the satisfaction of concerned C.J.M./J.M.F.C. for his appearance before him or trial Court as the case may be on all the dates of hearing fixed in this behalf by the Court concerned during trial.

C.C. as per rules.

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(J. K. MAHESHWARI, J.)