

**Somlata and another vs State of M.P.**

**30/06/2014**

Ms. Sangeeta Naidu, Advocate for the applicants.

Shri R.N. Yadav, Panel Lawyer for the respondent/State.

Case diary is not available, however, learned counsel for the applicant submitted copies of challan papers.

Heard finally.

This is the first bail application on behalf of the applicants under Section 439 of Cr.P.C. The applicants are in custody since 01/06/2014 and 02/06/2014 respectively in connection with Crime No.276/2014 registered at Police Station Belbagh, District Jabalpur (M.P.) for the offence punishable under Sections 34(2) of M.P. Excise Act.

It is submitted by learned counsel for the applicants that the applicants are innocent and have been falsely implicated in the case. It is further submitted that co-accused Roma Jat has already been released on bail by this Court vide order dated 16/6/2014 passed in M.Cr.C.No.8374/2014. The applicants are in custody and conclusion of trial would take considerable time. On the aforesaid grounds, it is prayed that the applicants be released on bail.

Learned Panel Lawyer for the State vehemently opposed the application.

Considering the totality of the facts and circumstances of the case coupled with the material available on record,

the application under Section 439 of Cr.P.C. deserves to be and is hereby allowed.

It is directed that applicants **Somlata Jat and Shambhu @ Ashish Jat** be released on bail on furnishing a personal bond in the sum of **Rs.20,000/- (Rupees Twenty Thousand Only)** each with one solvent surety each in the like amount to the satisfaction of the committal Court/trial Court securing their presence before the trial Court on all the dates of hearing fixed in this regard during trial.

Certified copy as per rules.

**(SUBHASH KAKADE)**  
**JUDGE**

*SJ/-*