

31.7.2014

Shri Pushpendra Dubey, Advocate for the applicant.

Ms. Pratibha Mishra, PL for the State.

This is the first bail application filed by the applicant under Section 439 of the Cr.P.C. for grant of bail.

The applicant is in custody since 20.5.2014 in connection with Crime No.180/2014 registered at P.S. Mauganj, District Rewa for the offence punishable under sections 341, 294, 323, 506 and 308 of IPC.

Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. He further submits that as per prosecution it is alleged against the applicant that he dealt a lathi blow on the head of the complainant but no corresponding fracture has been found on his head, in these circumstances, case should be fall under Section 325 of IPC. The applicant is in custody and trial would take considerable time to conclude, therefore, he be released on bail.

Learned counsel for State has also opposed the application of the applicant.

On due consideration of the contention raised by the learned counsel for the parties along with overall facts and circumstances of the case, I am of the considered view that it is a fit case to release the applicant on bail, therefore, without expressing any view on the merits of the case, the application is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in a sum of Rs. 30,000/- (Rs. Thirty Thousand only) with one surety in the like amount to the satisfaction of the committal Court/trial Court for securing his presence before the said Court on all the dates of hearing fixed in this regard during trial.

Certified copy as per rules.

**(G.S.Solanki)
Judge**