

**M.Cr.C. No.9514/2014**

**31.03.2015**

Shri Madhukar Kulshreshtra, counsel for the applicant.

Shri B. Raj. Pandey, Govt. Adv. for the respondent/State.

Heard the learned counsel for the parties.

This is a repeat bail application filed on behalf of the present applicant, whereas his previous application was dismissed being withdrawn on 28.7.2014.

The applicant is in custody since 9.11.2013 relating to Crime No.370/13 registered at Police Station Porsa, District Morena for the offences punishable under Sections 394, 450 of the IPC and Sections 11/13 of M.P.D.V.P.K. Act.

Learned counsel for the applicant submits that the applicant is a youth of 23 years of age. It is alleged that seven criminal cases were registered against the applicant in the past however, he was enlarged on bail in those cases. In the present case, a named FIR was lodged against the applicant due to

enmity. It is alleged that he robbed a golden ornament having value of Rs.2,000/-. The applicant is in custody since 9.11.2013 and trial could not conclude. He cannot be kept in the custody for an unlimited period. Under these circumstances, the applicant prays for bail.

Learned Govt. Advocate for the State opposes the application. He submits that if the applicant is released on bail then, he may escape.

Considering the submissions made by learned counsel for the parties and looking to the facts and circumstances of the case including the gravity of offence, without expressing any view on the merits of the case, I am of the view that application under Section 439 of Cr.P.C. filed by the applicant may be accepted with some tough conditions. Consequently, it is hereby allowed.

It is directed that the applicant **Kamlesh** be released on bail on his furnishing a personal bond in the sum of **Rs.40,000/- (Rupees forty thousand)** with two surety bonds of the same amount to the

satisfaction of **trial Court**, to appear before the trial Court on the dates given by the concerned Court.

This order shall be effective till the end of trial but in case of bail jump, it shall become ineffective.

Certified copy as per rules.

**(N.K.GUPTA)**  
**JUDGE**

*pnkj*