

M.Cr.C. No. 11597 Of 2015

31.12.2015

Shri Amit Bhatia, learned counsel for the applicants.

Shri Romesh Dave, learned Dy. GA for the respondent/State.

This is first application under Section 439 of Cr.P.C. The applicants have been arrested in Crime No.1231/2015 registered at Police Station, Chandan Nagar, District Indore, for the offence punishable under Sections 452, 352, 294, 323, 427 & 506/34 of the IPC.

As per prosecution case, in the intervening night of 24/11/15, Pappu, Amar Singh, Lakhan and Vijay abused the complainant. When he objected, they started beating him. When complainant rushed towards in his house and bolted the door from inside, then the aforesaid persons have damaged his car. Thereafter, they entered in the house and also damaged the household articles.

Learned counsel for the applicants submit that applicants have not committed any offence. They have falsely been implicated. Charge-sheet has been filed. Applicants are under custody since 27/11/15. Conclusion of trial likely to take time, hence, prayed for bail.

The prayer is opposed by learned Dy. GA for the respondent/State.

Case-diary perused.

Taking into consideration the allegation against the applicants and the fact that investigation has been completed, charge-sheet has been filed, but without commenting anything on the merits of the case, the application is allowed. It is directed that the applicants shall be released on bail on their furnishing personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand Only) with separate sureties in the like amount to the satisfaction of **Trial Court.**

This order will remain operative subject to compliance of the following conditions by the applicants :-

The applicants will comply with all the terms and conditions of the bond executed by them;

The applicants will cooperate in the investigation/trial, as the case may be;

The applicants will not indulge themselves in extending inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to the Police Officer, as the case may be;

The applicants shall not commit an offence similar to the offence of which they are accused;

The applicants will not seek unnecessary adjournments during the trial; and

The applicants 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.

(D.K.Paliwal)
Vacation Judge

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