

**MCRC-3856-2015**

*(PREMLAL KOL Vs THE STATE OF MADHYA PRADESH)*

**30-04-2015**

Shri Pushpendra Dubey, Advocate for the applicant.

Shri Ajay Tamrakar, Govt. Advocate for the respondent-State.

This is repeat bail application on behalf of the present applicant. His earlier applications were dismissed being withdrawn.

Heard the learned counsel for the parties.

The applicant is in custody since 9/10/2014 in connection with Crime No.298/2013 registered at Police Station Gurh District Rewa for the offences punishable under Sections 307, 394/34 of IPC and Sections 25/27 of the Arms Act.

Learned counsel for the applicant submits that the applicant is a reputed citizen of the locality, who has no criminal past alleged against him. There is no allegation against the applicant that he fired from a gun. Hence no offence under Section 307 of IPC or Sections 25/27 of the Arms Act is made out against the applicant. It is alleged against the applicant that he robbed the victim and took a sum of Rs.400/- from him. However, it is not a robbery of bigger amount. He is in custody since 9.10.2014 and trial could not conclude. Under these circumstances, he prays for bail.

Learned counsel for the State opposes the application. He submits that if the applicant is enlarged on bail, then

he may escape.

Considering the submissions made by learned counsel for the parties, 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 viz. **Premal Kol** may be accepted. Consequently it is hereby allowed.

It is directed that present applicant be released on bail on his furnishing a bond in sum of **Rs.35,000/- (Rupees thirty five 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