

MCRC-22689-2015

(NAZAR ALI Vs THE STATE OF MADHYA PRADESH)

31-12-2015

Shri Abhinav Dubey, Advocate for the applicant.

Shri Prakash Gupta, Panel lawyer for the State/respondent.

Heard on admission.

Admit.

Case diary is available.

With the consent of the parties the case is heard finally.

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 in connection with Crime No.349/2015, registered at Police Station Timarni, District Harda, for the offences punishable under Sections 392, 397, 120-B, IPC.

Learned counsel for the applicant submits that he has falsely been implicated in the case. It is further submitted by the learned counsel for the applicant that since the date of his arrest i.e. 31.10.2015 the applicant is in custody and only Rs.200/- were recovered from the possession of the applicant. It is also pointed out that the motorcycle seized from his possession belongs to applicant Nazar Ali himself. In view of the aforesaid, prayer is made to enlarge the applicant on bail.

On the other hand, learned Panel Lawyer for the respondent-State has vehemently opposed the application for grant of bail on the ground that during Test Identification Parade, applicant Nazar Ali is duly identified.

Looking to the facts and circumstances of the case, without expressing any view on merits of the case and considering the

averments made by learned counsel for the parties, the application under Section 439 of Cr.P.C. may be accepted. Consequently, it is hereby allowed.

It is directed that the applicant- **Nazar Ali** be released on bail on furnishing a personal bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with one solvent surety in the like amount to the satisfaction of the Committal Court/trial Court to appear before the concerned Court on the dates given by the concerned Court during trial.
C.C. as per rules.

(SUBHASH KAKADE)
JUDGE