

**31/5/16**

Shri R.K.Sharma, Advocate for the petitioner.

Shri Amit Bansal, Public Prosecutor for the State.

Learned counsel for the rival parties are heard.

The petitioner has filed this first application under Section 439 of Cr.P.C. for grant of bail.

The petitioner has been arrested on 17/5/2016 by Police Station Rithorakalan, District Morena (M.P.) in connection with Crime No.42/16, registered in relation to the offences punishable under Sections 394, 294, 506/34 of I.P.C., and section 11/13 of MPDVPK Act.

Learned Public Prosecutor for the State opposed the application and prayed for its rejection by contending that on the basis of the allegations and the material available on record, no case for grant of bail is made out.

Though, investigation is pending but it seems to be nearing completion where allegation of causing minor injury is made against the petitioner. Rs. 5200/- has been recovered from the petitioner. The petitioner has no criminal antecedents.

Considering the above said facts and that further custodial interrogation may not be necessary and material placed on record does not disclose possibility of the petitioner fleeing from justice, this court is though inclined to extend the benefit of bail to the petitioner but with certain stringent condition in view of pending investigation.

Accordingly, without expressing any opinion on merits of the case, this application is allowed and it is directed that the petitioner be released on bail on furnishing a personal bond in the sum of **Rs. 1,00,000/- (Rs. One Lac only) with two solvent sureties each of Rs.50,000/-** to the satisfaction of the concerned Trial Court.

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

1. The petitioner will comply with all the terms and conditions of the bond executed by him;
2. The petitioner will cooperate in the investigation/trial, as the case may be;

Than Singh Vs. State of M.P.

3. The petitioner will not indulge himself in extending inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to the Police Officer, as the case may be;
4. The petitioner shall not commit an offence similar to the offence of which he is accused;
5. The petitioner will not seek unnecessary adjournments during the trial;
6. The petitioner will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be.
7. The petitioner shall mark his presence before the concerned police station court once a week till investigation is over.

A copy of this order be sent to the Court concerned for compliance.

C.c. as per rules.

**(Sheel Nagu)**  
**V. Judge**

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