

MCRC-3684-2016

(HALKOTI KACHHI (PATEL) Vs THE STATE OF MADHYA PRADESH)

31-03-2016

Shri Sankalp Kochar, learned counsel for the applicant.

Shri K.S. Patel, learned Panel Lawyer for the respondent/State.

Heard with the aid of case diary.

This is a repeat application under Section 439 of the Code of Criminal Procedure for grant of bail in connection with Crime No. 53/2015, registered at Police Station Sultanganj, District Raisen for the commission of alleged offence under Sections 302, 201 read with Section 34 of the I.P.C.

Learned counsel for the applicant submits that the applicant is in custody since 17.03.2015. He submits that there is no direct evidence against the applicant and the case of the prosecution is based on circumstantial evidence of which chain is not complete. He also submits that the witnesses of the circumstantial evidence did not support the prosecution's case in the court. In support of the submission, learned counsel for the applicant has filed copy of the statement of Rajbai (P.W.-1) and Bhagat Singh (P.W.-3).

Having considered the submissions made by learned counsel for the applicant and having gone through the case diary, I am of the view that the it is a fit case for grant of bail to the applicant. Accordingly, the application is allowed.

On applicant's furnishing a personal bond in the sum of **Rs.50,000/- (Rs. Fifty Thousand only)** with one surety in the like amount to the satisfaction of the trial Court for securing his presence before the Court on all the dates of hearing to be fixed in this regard during trial, applicant **Halkoti Kachhi (Patel)** be released on bail. The applicant shall abide by the conditions enumerated in Section 437(3) of the Code

of Criminal Procedure.

Certified copy as per rules.

(SHANTANU KEMKAR)
JUDGE