

**(Inder Singh Vs. State of MP)****31.03.2017**

No one appears for the rival parties, presumably because of the call given by the Bar Council of India to the Advocates to abstain from the Court work.

Case Diary is perused.

The applicant has filed this 1<sup>st</sup> bail application u/S 439, Cr.P.C. for grant of bail. The applicant has been arrested by Police Station Civil Lines District Datia in connection with Crime No.101/2016 registered in relation to the offences punishable u/Ss. 364, 302, 201, 212, 216 and 120B read with Sec 34 of IPC and Sec 11/13 of M.P.D.V.P.K. Act.

The applicant is in custody since 29.11.2016. Investigation is over by filing of chargesheet where allegation of murder is alleged. Name of the applicant does not find mention in the FIR and he has been subsequently implicated by statement of witnesses recorded u/S 161 Cr.P.C. and charge of criminal conspiracy is alleged and similarly placed co-accused Ravi Shivhare and Surendra Yadav have since been enlarged on bail by order dated 25.11.2016 and 15.02.2017 vide M.Cr.C. No. 13281/16 and M.Cr.C. No. 709/2017 and therefore there is no reason to take a different view than the one taken while granting bail to the said co-accused and that the early conclusion of the trial is a bleak possibility and prolonged pre-trial detention is anathema to the concept of liberty and the material placed on record does not disclose the possibility of the applicant fleeing from justice.

In view of the above, this Court is though inclined to extend the benefit of bail to the applicant but with certain stringent conditions due to criminal antecedents.

Accordingly, without expressing any opinion on merits of the case, this application is allowed and it is directed that the applicant

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, **in the like amount**, to the satisfaction of the concerned trial Court.

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

1. The applicant will comply with all the terms and conditions of the bond executed by him;
2. The applicant will cooperate in the investigation/trial, as the case may be;
3. The applicant 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 applicant shall not commit an offence similar to the offence of which he is accused;
5. The applicant will not seek unnecessary adjournments during the trial; and
6. The applicant will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be.
7. The applicant shall mark his attendance before the concerned trial Court once every fortnight.

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

C.c. as per rules.

**(Sheel Nagu)**  
**Judge**

sh/-