

**(Ravi alias Kuldeep Vs. State of MP)****30.06.2017**

Shri Kuldeep Thapak, Advocate for applicant.

Shri A.S. Yadav , Panel Lawyer for Respondent/State.

Case Diary is perused.

Learned counsel for the rival parties are heard.

The applicant has filed this 2<sup>nd</sup> repeat application u/S 439, Cr.P.C. for grant of bail. The applicant has been arrested by Police Station Maharajpura, District Gwalior in connection with Crime No.150/2017 registered in relation to the offences punishable u/Ss. 308, 294, 506 read with Sec 34 of IPC.

Learned Panel Lawyer 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.

This second repeat bail application has been filed after rejection of the earlier one which was dismissed by order dated 25.05.2017 in M.Cr.C. No. 5350/2017 with liberty to come again after conclusion of investigation.

New ground raised in the present repeat bail application is conclusion of investigation by filing of chargesheet on 31.05.2017.

Since investigation is over, further custodial interrogation may not be necessary and 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 in view of presence of 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.50,000/- (Rs. Fifty Thousand only)** with two solvent sureties, **each of Rs.25,000/-**, 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/-