

MCRC-5666-2017

(KUNDAN Vs THE STATE OF MADHYA PRADESH)

29-05-2017

Shri Gourav Verma, learned counsel for the applicants.

Smt. Mamta Shandilya, learned G.A. for the respondent/State.

Heard with the aid of case diary.

This is a first application under Section 439 Cr.P.C for grant of bail in connection with Crime No.91/2017 registered at Police Station-Civil Line, District Dewas for the offences punishable under Sections 451, 324, 294, 307/34 of the IPC.

Learned counsel for the applicants submits that applicants have not committed any offence and they have been falsely implicated in the offence. The investigation of the case is over and charge sheet has been filed. He further submitted that co-accused Ajay has been granted bail by this Court in M.Cr.C. No.4603/2017 on 22.05.2017. The applicants are in custody since 12.03.2017 and the conclusion of trial would likely to take long time, hence prayed for release of the applicants on bail.

On the other hand, learned counsel for the respondent/State opposed the prayer and submitted that sufficient evidence is available to connect the accused/applicants with the offence in question.

After hearing learned counsel for the parties,

considering the facts and circumstances of the case and as to the fact that co-accused has already been granted bail by this Court, without commenting on the merits of the case, the application is allowed and the applicants are directed to be released on bail upon each of them furnishing personal bond in the sum of **Rs.50,000/-** (Rs. Fifty Thousand Only) with one surety each in the like amount to the satisfaction of the concerned trial Court for their appearance before the trial Court on all such dates as may be fixed in this behalf by the trial Court during the pendency of trial.

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

1. The applicants will comply with all the terms and conditions of the bond executed by them;
2. The applicants will cooperate in the investigation/trial, as the case may be;
3. The applicants will not indulge themselves in extending inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade them from disclosing such facts to the Court or to the Police Officer, as the case may be;
4. The applicants shall not commit an offence similar to the offence of which they are accused;
5. The applicants will not seek unnecessary adjournments during the trial; and
6. The applicants will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be.

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

Certified copy on payment of usual charges.

(RAJEEV KUMAR DUBEY)
JUDGE