

**MCRC-5700-2017**

*(DEEPAK Vs THE STATE OF MADHYA PRADESH)*

**30-06-2017**

Shri Nilesh Manore, learned counsel for the applicants.

Shri Pankaj Wadhwani, learned counsel for the respondent/State.

Case-diary is available.

Arguments heard.

This is first application under Section 439 of Cr.P.C. filed by the applicant for grant of bail.

The present applicants were arrested by Police Station-Pithampur Sector No.1, District-Dhar, in Crime No.121/2017 under Sections 399, 402 of IPC & Sections 25, 27 of Arms Act.

According to prosecution story, the present applicants alongwith other co-accused were planning to commit dacoity.

Learned counsel for the applicant submits that from applicant Deepak S/o Shankarlal Patel a knife was seized and from applicant Jitendra Pathariya S/o Parasram Pathariya one iron rod was seized. He further submits that there is only one case against both the applicants.

Learned counsel for the State opposed the application.

Taking into consideration all the facts and circumstances of the case and without commenting on merits of the case, I am of the view that it is a fit case for grant of bail. Accordingly, the application filed under Section 439 of the Cr.P.C. is allowed.

It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of **Rs.50,000/- (Rs. Fifty Thousand only)** each and one solvent surety each of the like amount to the satisfaction of the concerned Magistrate for their appearance on all the dates of hearing as may be directed in this regard during trial.

They are further directed that on being so released on bail, they would comply with the conditions enumerated under section 437(3) Cr.P.C. meticulously.

Certified copy as per rules.

**(ALOK VERMA)**  
**JUDGE**