

HIGH COURT OF MADHYA PRADESH, BENCH AT INDORE

M. Cr. C. No.33147/2018
(Ravi @ Laddu Vs. State of M. P.)

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Indore, dated 31/08/2018

Ms. Sudha Shrivastava, learned counsel for the applicant.

Ms. Nidhi Bohra, learned Government Advocate for the respondent / State.

Heard with the aid of case diary.

The present second bail petition has been filed for grant of bail under section 439 of the Code of Criminal Procedure in connection with Crime No.790/2016 registered at Police Station Vijay Nagar, District Indore for the offence punishable under sections 302/34 and 201 of the IPC. The applicant is in jail since 02/10/2016.

This Court in identical circumstances by an order dated 09/07/2018 has granted bail to one of the co-accused person in the light of the statement of the witnesses recorded before the trial Court. The order dated 09/07/2018 passed in M.Cr.C.No.15953/2018 reads as under:-

“M.Cr.C.No.15953/2018

Indore, dated 09/07/2018:

Ms.Sudha Shrivastava, learned counsel for the applicant.

Mr.Mukesh Kumawat, learned Government Advocate for the respondent/State.

Heard on the question of grant of bail.

This is the second bail application preferred by the applicant under Section 439 Cr.P.C for grant of bail during trial. First application was dismissed vide M.Cr.C.No.3961/2017 on 15/05/2017.

The applicant is facing prosecution for offences punishable under Section 302/34 of the Indian Penal Code, 1860 registered with Police Station Vijay Nagar, Indore at Crime No.790/2016. He is in jail since 02/10/2016.

Learned counsel for the applicant at the outset has argued

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before this Court that father of the deceased as well as brother of the deceased has been examined before the trial Court and they have not stated against the present applicant. The statements recorded before the trial Court are on record. She further submits that the applicant is an innocent person and has been falsely implicated in the crime.

Learned government advocate has also gone through the aforesaid statements and has not disputed the same.

This Court, after hearing learned counsel for the parties, considering the circumstances of the case and on perusal of the case diary and also keeping in view the statement which are on record and the period of detention, is of the opinion that the present bail petition deserves to be allowed and is accordingly allowed.

The applicant- Lokendra s/o Mahipal Singh is directed to be released on bail on his furnishing a personal bond in the sum of Rs.1,00,000/- (Rs. One Lac Only) with one surety in the like amount to the satisfaction of the Trial Court for his appearance as and when required.

There are similar set of allegations against the present applicant, therefore, in the light of the aforesaid order, this Court is of the opinion that the present bail application also deserves to be allowed and is accordingly allowed.

The applicant Ravi @ Laddu S/o Vijay Singh Rajawat is directed to be released on bail upon his furnishing a personal bond in the sum of **Rs.1,00,000/- (Rupees One Lac Only)** with one surety in the like amount to the satisfaction of the trial Court for his appearance before that Court on all dates of hearing during trial and shall also abide by the conditions enumerated under section 437(3) of the Cr.P.C.

Certified copy as per rules.

(S. C. SHARMA)
J U D G E

Tej

Digitally signed by
Tej Prakash Vyas
Date: 2018.08.31
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