

THE HIGH COURT OF MADHYA PRADESH

M.Cr.C.No.11145/2018

(ARUN VS. THE STATE OF M.P.)

JABALPUR Dated : 28.03.2018

Shri Jitendra Tiwari, learned counsel for the applicant.

Shri V.S. Mishra, learned Dy GA for the respondent/State.

Heard with the aid of case diary.

This is a first application under Section 439 Cr.P.C.

Applicant **Arun** was arrested on 08.02.2018 in Crime No.129/2018 registered at Police Station Kotwali, District-Damoh (M.P) for the offence punishable under Sections 363, 354 of IPC and Section 7/8 of POCSO Act.

Learned counsel for the applicant submits that applicant has not committed any offence and has falsely been implicated in the offence. He further submits that applicant is in custody since 08.02.2018. The charge-sheet has been filed and the conclusion of trial is likely to take long time, hence prayed for release of the applicant on bail.

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

Looking to the facts and circumstances of the case and as to the fact that applicant is in custody since 08.02.2018, charge-sheet has been filed and conclusion of trial will take time, the application is allowed without commenting on the merits of the case, and **applicant- Arun** is directed to be released on bail upon his furnishing personal bond in the sum of **Rs.50,000/- (Rs. Fifty Thousand Only)** with one surety in the like amount to the satisfaction of the concerned C.J.M/trial Court for his 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 applicant :

- 1.1. The applicant will comply with all the terms and conditions of the bond executed by him;
- 1.2. The applicant will cooperate in the investigation/trial, as the case may be;

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- 1.3. The applicant will not indulge himself in extending inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade him from disclosing such facts to the Court or to the Police Officer, as the case may be;
- 1.4. The applicant shall not commit an offence similar to the offence of which he is accused;
- 1.5. The applicant will not seek unnecessary adjournments during the trial; and
- 1.6. The applicant will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be.

Certified copy as per rules.

**(Rajeev Kumar Dubey)
Judge**

anand

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