

The High Court Of Madhya Pradesh

MCRC-111-2019

(RAJAT SINGH PARMAR Vs THE STATE OF MADHYA PRADESH)

Gwalior, Dated : 31-01-2019

Shri Pawan Kumar, learned counsel for the applicant.

Shri Avneesh Singh, learned Public Prosecutor for the respondent/State.

Case diary is available.

This is first application under Section 439 of CrPC for grant of bail.

The applicant is in custody from 05/10/2018 in connection with Istagasa No. 09/2018 registered at Police Station City Kotwali, District Morena for offence under Sections 379 of the IPC and 4(1)(4) of the .

It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated. He is in custody from about three months. The charge-sheet has been filed. He is the only breadwinner in his family and his incarceration has adversely affected the financial condition of his family. There is no possibility of his absconding or tampering with the prosecution case. Hence, prayed for grant of bail to the applicant.

Per contra, the application is opposed by the State counsel.

Considering the pretrial detention, the facts and circumstances of the case and without commenting on merits of the case, the application is allowed. It is directed that the applicant be released on bail on his furnishing a 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 Trial Court/Committal Court to appear before the Court on the dates given by the concerned 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.

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

Certified copy as per rules.

(RAJEEV KUMAR SHRIVASTAVA)
JUDGE

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