

HIGH COURT OF MADHYA PRADESH

MCRC No.30813/2019

(Andal Singh Gurjar Vs The State of M.P.)

Gwalior, Dated :31.07.2019

Shri N.S.Parmar, learned counsel for the applicant.

Shri Aditya Singh, Public Prosecutor for the State.

Case Diary is perused.

Learned counsel for the rival parties are heard.

This is first application under section 438 of the Code of Criminal Procedure.

Applicant apprehends arrest in connection with Crime No.41/2019 registered at Police Station Gohad Chauraha, District Bhind, for the offences punishable under Sections 3 and 5 of the Explosive Substances Act, 1908.

Allegation against the applicant and another co-accused is that of blasting a stone quarry.

Learned counsel for the applicant submits that he has been falsely implicated. He was engaged in the work of blasting. The applicant is an agriculturist and nothing to do with blasting. Due to some political enmity, the leaseholder Harpal Singh Tomar has been implicated in the offence. The applicant is permanent resident of Village Dilip Singh Ka Pura, Gohad Chauraha, District Bhind and there is no likelihood of his absconsion. With the aforesaid submissions, prayer for anticipatory bail is made.

HIGH COURT OF MADHYA PRADESH**MCRC No.30813/2019****(Andal Singh Gurjar Vs The State of M.P.)**

In response, learned Public Prosecutor has opposed the bail application and prays for its rejection.

Taking into consideration the facts and circumstances of the case, but without expressing any opinion on merits of the case, I deem it appropriate to extend the benefit of anticipatory bail to the applicant.

It is hereby directed that in the event of arrest of applicant namely **Andal Singh Gurjar**, he shall be released on bail on his furnishing a personal bond of **Rs.50,000/-(Rupees Fifty Thousand only)** with one solvent surety of the like amount to the satisfaction of Arresting Authority.

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

1. He will comply with all the terms and conditions of the bond executed by him;
2. He will cooperate in the investigation/trial, as the case may be;
3. He will not indulge 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. He shall not commit an offence similar to the offence of which he is accused;

HIGH COURT OF MADHYA PRADESH

MCRC No.30813/2019

(Andal Singh Gurjar Vs The State of M.P.)

5. He will not seek unnecessary adjournments during the trial; and
6. He will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be.

C.C. as per rules.

(S.A.Dharmadhikari)
Judge

AK/-



ANAND KUMAR
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