

THE HIGH COURT OF MADHYA PRADESH**M.Cr.C. No.13185/2019**

(Pappu @ Rakesh vs. State of M.P.)

Jabalpur, Dated 30.04.2019

Shri R.S.Patel, learned counsel for the applicant.

Shri Sanjeev Singh, learned Government Advocate for the respondent/State.

Case diary is available.

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

The applicant has been arrested on 12.03.2019 in connection with Crime No.43/2019 registered by Police Station Digora District Tikamgarh for offence punishable under Section 306 of IPC.

Learned counsel for the applicant has submitted that the applicant is innocent and has been falsely implicated in the case. Charge-sheet has been filed. The applicant is in jail since 12.03.2019. Trial will take a long time to conclude. The applicant is permanent resident of the district and there is no likelihood of his absconding or tampering with the prosecution case. On these grounds prayer is made to enlarge the applicant on bail.

Per contra, learned counsel appearing on behalf of the State has opposed the application and prayed for its rejection on the ground that in view of the statements of daughter and son of the deceased the applicant is not entitled for grant of bail.

Heard counsel for the parties and perused the case diary.

Having considered the facts and circumstances of the case and the fact that charge-sheet has been filed and trial will take considerable time to conclude but without expressing any opinion on the merits of the matter, this application is *allowed*. It is ordered that the applicant-

Pappu @ Rakesh be released on bail on furnishing a personal bond for the sum of **Rs.1,00,000/-** (Rs.One Lakh only) with a solvent surety in the like amount to the satisfaction of the trial court for securing his presence before the said Court on all the dates of hearing fixed in this regard during trial. 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 trial;
- (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;
- (4) The applicant shall not commit any offence during the period in which he be enlarged on bail;
- (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.

This order shall remain effective till the end of the trial but in case of bail jump and breach of any of the pre-condition of bail, it shall become ineffective and cancelled without reference to this Bench.

Certified copy as per rules.

(Akhil Kumar Srivastava)
Judge

anand

Digitally signed by
ANAND KRISHNA SEN
Date: 2019.05.01
17:39:38 +05'30'