

The High Court Of Madhya Pradesh

MCRC-14487-2021

(RAJJU@ RAJENDRA Vs THE STATE OF MADHYA PRADESH)

3

Jabalpur, Dated : 30-04-2021

Heard through Video Conferencing.

Mr. Shyam Yadav, learned counsel for the applicant.

Mr. Abhinav Kherdikar, learned P.L. for the respondent/ State.

This is the first application under Section 439 of Cr.P.C. on behalf of the applicant, who is in jail since 20.02.2021 in connection with Crime No. 61/2021 registered at Police Station: Banda District- Sagar for the offences under Sections 195(A), 294, 506 Part II of the IPC.

Learned counsel for the applicant submits that there is allegation against the applicant that he threatened the witnesses to compromise the matter. Over the said act offence under Section 195(A) has been registered against the applicant. It is submitted that case is pending on complaint of the prosecutrix. It is further submitted by the counsel for the applicant that evidence in this case has already been recorded and there is no possibility that the applicant can threaten the witnesses of the case or try to influence them. It is further submitted that all the witnesses have already been examined.

Learned Panel Lawyer for the State has opposed the application. It is submitted by him that the applicant has criminal antecedents. Three cases have been registered against him. One case is of the year 2019 under the Excise Act and the other two cases are lodged by present complainant. On these grounds he prays for rejection of the bail application.

Heard the learned counsel for the applicant as well as respondent.

Considering the totality of facts and circumstances of the case and also the fact that material witnesses have already been examined, without commenting on the merits of the case, the applications stands **allowed**.

It is directed that the applicant shall be released on bail on his furnishing personal bond of **Rs.25,000/- (Rs. Twenty Five Thousand only)**

with solvent surety in the like amount to the satisfaction of the trial court.

In addition to aforesaid condition, the applicant shall abide by the conditions enumerated under Section 437(3) of Cr. P. C.

C.C as per rules.

(VISHAL DHAGAT)
JUDGE

Vikram

