

THE HIGH COURT OF MADHYA PRADESH
M.Cr.C. No.47985/2018
(Jagat Singh Vs. State of M.P.)

Gwalior, dated : 10.12.2018.

Shri Sushil Goswami, learned counsel for the applicant.

Shri Pramod Pachori, learned Public Prosecutor for the respondent-State.

Heard the counsel for the parties and case diary perused.

The applicant has filed this first bail application u/S.438, Cr.P.C. for grant of anticipatory bail apprehending his arrest in connection with Crime No.405/2018, registered by police station Karera, District Shivpuri, in relation to the offences punishable under Sections 452, 323, 324, 294 and 506/34 of the IPC

It is the submission of counsel for the applicant that the applicant has not committed any offence and he has falsely been implicated in this case. The dispute arose between the applicant and complainant in respect of previous enmity which resulted into registration of FIR. Learned counsel for the applicant undertakes to make himself available as and when required investigating officer. Confinement amounts to pretrial detention.

Learned PP for the State opposes the bail application and prayed for its rejection.

There is no criminal antecedents of the applicant and the material placed on record does not disclose possibility of the applicant fleeing from justice, this Court is though inclined to extend the benefit of bail to the applicant but with certain stringent conditions in view of pendency of investigation.

Accordingly, without expressing opinion on merits of the case, I deem it appropriate to allow this application u/S 438 Cr.P.C in the following terms.

It is hereby directed that in the event of arrest, the applicant shall be released on bail on furnishing a personal bond of **Rs.50,000/-(Rupees Fifty Thousand only)** with one solvent surety

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of the like amount to the satisfaction of Arresting Authority.

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.

7. Till filing of charge-sheet, the applicant will mark his attendance at the concerned Police Station on every Monday between 10 AM to 2 PM.

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

C.C. as per rules.

(Anand Pathak)
Judge

Rashid