

HIGH COURT OF MADHYA PRADESH

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M.Cr.C.No.47847/2021

(Lalu Vs. State of M.P.)

**Gwalior Bench: Dated -08/10/2021**

Shri Arun Barua, learned counsel for the applicant.

Shri Alok Sharma, learned PL for the respondent/State.

Matter is heard through physical hearing.

The applicant has filed this first bail application u/S.439 Cr.P.C for grant of bail. Applicant has been arrested on 07-08-2021 by Police Station Kotwali, District Guna in connection with Crime No.603/2021 registered for offence punishable under Sections 25/27 of Arms Act.

It is the submission of learned counsel for the applicant that false case has been registered against him and he is suffering confinement since 07-08-2021 whereas charge-sheet has already been filed. Although some criminal cases haunt the applicant but they are of minor nature. It is further submitted that he learnt the lesson hard way and would try to mend his ways and would become a better citizen in future. Confinement amounts to pretrial detention. Looking to the prevailing condition of COVID-19, he seeks bail on sympathetic grounds also. He undertakes to cooperate in trial and would not be a source of embarrassment or harassment to the complainant party, in any manner. He further undertakes to abide by all the terms and conditions of guidelines,

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circulars and directions issued by Central Government, State Government as well as Local Administration regarding measures in respect of COVID-19 Pandemic and maintain hygiene in the vicinity while keeping physical distancing.

Counsel for the State opposed the prayer and prayed for dismissal of the bail application.

Heard learned counsel for the parties at length and considered the arguments advanced by them.

Considering the fact situation as well as period of custody and further looking to the COVID -19 pandemic but without commenting on the merits of the case, it is hereby directed that the applicant shall be released on bail, on his furnishing personal bond of **Rs.50,000/- (Rupees Fifty Thousand only)** alongwith one solvent surety of like amount to the satisfaction of trial Court.

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

- 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;

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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 them 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 be a source of embarrassment or harassment to the complainant party in any manner and applicant will not seek unnecessary adjournments during the trial;

6. The applicant will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be;

7. Applicant shall not indulge in any criminal activities in future otherwise the benefit of bail granted him shall be withdrawn.

Application stands allowed and disposed of.

**E- copy** of this order be sent to the trial Court concerned for compliance, if possible for the office of this Court.

Certified copy/ e-copy as per rules/directions.

**(Anand Pathak)**  
**Judge**

Anil\*