

HIGH COURT OF MADHYA PRADESH

MCRC-48911/2021

(Shyam Babu Sharma Vs. State of MP)

Gwalior, Dated: 20.10.2021

Shri Nawal Kishore Chaturvedi, learned counsel for the applicant-**Shyam Babu Sharma**.

Shri Siraz Qureshi, learned Public Prosecutor for the respondent/State.

This is **first** bail application u/S.439 Cr.P.C filed by the applicant for grant of regular bail.

Applicant has been arrested on 05.09.2021 by Police Station, Hajira, District Gwalior, in connection with Crime No.129/2021 for the offence punishable under Sections 306, 34 of IPC.

As per prosecution case, on 13.3.2021 at 9.58 am complainant Mukesh Singh Chouhan informed Police Station Hajira that deceased Pawan Sharma used to work in a motor-binding shop of his brother Shishupal Singh and reside in the back of the shop. On 12.3.2021 at 9 pm after taking dinner he went to his room. On 13.3.2021 at 7.45 am when he came back, he called Pawan but nobody came out. After opening shutter of the shop he found Pawan hanging on the roof. On his information merg No. 13/2021 was recorded. Dead body was recovered and Panchnama was prepared. Post-mortem of the dead body was conducted. Statements of witnesses were recorded. Thereafter, on 27.3.2021 case under Sections 306, 34 of IPC bearing Crime No. 129/2021 was registered against present applicant Shyam Babu Sharma, who is father-in-law of the deceased, Rajendra Sharma, Raju Sharma and Ku. Naina Sharma. As per allegation, applicant/accused and other persons used to harass the deceased with a view to recover money from him, due to which he committed suicide.

Learned counsel for the applicant has submitted that the applicant has been falsely implicated. The applicant is a senior citizen and 66 years of age. He has no criminal antecedents and has great reputation in the society. The applicant is father-in-law of the deceased and is in custody since 4.9.2021. The conclusion of trial will take its own time. The applicant undertakes to cooperate in trial and to abide by the conditions which may be imposed by this Court. On such premises, learned counsel for the applicant prayed for regular bail.

Learned counsel for the State opposed the application and prayed for its rejection.

Both the Advocates are heard. Case diary perused.

Looking to the facts and circumstances of the case, this Court is inclined to grant regular bail to the applicant. Therefore, it is directed that if the applicant furnishes bail bond of **Rs.50,000/- (Rupees Fifty Thousand only)** with one solvent surety in the like amount to the satisfaction of the trial Court, he be released on bail with the condition that the applicant will remain present during trial before the trial Court on each and every date.

Application stands allowed and disposed of.

Certified copy as per rules.

(Deepak Kumar Agarwal)
Judge

(yog)