

**IN THE HIGH COURT OF MADHYA PRADESH****AT GWALIOR****BEFORE****HON'BLE SHRI JUSTICE ATUL SREEDHARAN****ON THE 17<sup>th</sup> OF MARCH, 2023****MISC. CRIMINAL CASE No. 10366 of 2023****Between:-**

**DEVI SINGH S/O SUKHRAM @ SUKKA  
AHIRWAR, AGED ABOUT 32 YEARS,  
OCCUPATION: LABOUR R/O VILLAGE  
SHAHPUR POLICE STATION MAKSUDANGARH  
DISTRICT GUNA (MADHYA PRADESH)**

**.....APPLICANT****(BY SHRI H.K. SHUKLA – ADVOCATE)****AND**

**STATE OF MADHYA PRADESH, THROUGH  
POLICE STATION MAKSUDANGARH DISTRICT  
GUNA (MADHYA PRADESH).**

**.....RESPONDENT****(BY SHRI APS TOMAR – PANEL LAWYER)**

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This application coming on for admission this day, the court passed the following:

**ORDER**

This is the **first** application under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail to applicant Devi Singh in connection with Crime No.40/2022 registered at Police Station Maksudangarh District Guna for the offences punishable under Sections 307, 302, 201, 34 of IPC.

At the very outset, learned counsel for the applicant has drawn

attention of this Court to the order dated 15-02-2023 passed in M.Cr.C.No.6440/2023 by which co-accused Premnarayan was granted the benefit of bail by this Court. The appellant herein is brother of the co-accused who has already been granted bail. The case is of circumstantial evidence and there is no eye-witness. Motive is preexisting enmity between the applicant and the deceased.

Learned counsel for the State opposed the application for grant of bail.

Be that as it may, looking at the facts and circumstances of the case and the fact that investigation has been completed and co-accused has been granted bail, application is allowed. It is directed that the applicant herein shall be enlarged on bail upon his furnishing a personal bond in the sum of **Rs.50,000/- (Rs. Fifty Thousand Only)** with one solvent surety in the like amount to the satisfaction of the learned trial court.

Certified copy as per rules.

**(ATUL SREEDHARAN)**  
**JUDGE**