

1 MCRC-19970-2024
IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR
MCRC No. 19970 of 2024

(SANDEEP @ RAMLALA Vs THE STATE OF MADHYA PRADESH)

Dated : 25-06-2024

Shri Daya Ram Sharma - Advocate for the applicant.

Shri Nitin Goyal - Panel Lawyer for the respondent/State.

Shri Manvardhan Singh Tomar - Advocate for the complainant.

This is the **first** bail application filed under Section 439 of Cr.P.C. on behalf of applicant for grant of regular bail relating to FIR No.827/2023, registered at Police Station Ambah, District Morena (M.P.) for the offences punishable under Sections 307, 294, 506, 34 of IPC and added Section 120-B of IPC and Section 25, 27 of Arms Act.

2. Learned counsel for the applicant submits that as per prosecution version, the incident took place at the instance of co-accused Shivkant who is alleged to have hired the present applicant and other co-accused for the offence. It is further submitted that co-accused Shivkant has already been enlarged on bail by this Court in M.Cr.C.No.15620/2024. The allegation against the present applicant is of firing the gunshot. Learned counsel for the applicant submits that the applicant is in custody since 23.12.2023 and the evidence of the injured person in trial has already been recorded as PW-2. His uncle has also been examined as PW-1. There is no possibility of influencing the complainant party now during trial. It is further argued that no ballistic report has been placed on record by the prosecuting agency as yet. The applicant undertakes to cooperate in trial, if he is granted the benefit of bail.

3. *Per contra*, learned Panel Lawyer for the State as well as counsel for the complainant have opposed the bail application and submit that there is

criminal record of four other cases against the present applicant but has not disputed the position as in the present case, the evidence of injured person has already been recorded.

4. Heard the counsel for the parties at length and perused the case diary.

5. Considering aforesaid circumstances, bail application filed by the applicant is allowed. It is directed that applicant shall be released on bail on his furnishing personal bond in sum of **Rs1,00,000/- (Rupees One Lac only)** with two sureties of the like amount to the satisfaction of the trial court for his regular appearance before Court on all such dates as may be fixed in this regard.

6. This order shall remain operative subject to compliance of following stringent conditions by the applicant,:-

a. The applicant will comply with all the terms and conditions of the bond executed by him;

b. 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 from disclosing such facts to the Court or to the Police Officer as the case may be;

c. The applicant will cooperate in the trial and he shall not commit an offence similar to the offence of which he is accused,

d. The applicant will not seek unnecessary adjournments during the trial;

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

f. The applicant shall not move in the vicinity/ village of complainant party where he resides in any manner;

g. Applicant shall not try to contact the complainant party in person or through any digital/electronic media otherwise, benefit of bail shall immediately be withdrawn;

h. The applicant shall not involve himself in any criminal activity in future otherwise, benefit of bail shall immediately be withdrawn.

i. In case of bail jump, this order shall become ineffective.

7. Application stands **allowed and disposed of**.

8. A copy of this order be sent to the trial Court concerned for compliance and information.

Monika



(VIVEK JAIN)
JUDGE