

# The High Court Of Madhya Pradesh

MCRC-45410-2018

(SUMERSINGH Vs THE STATE OF MADHYA PRADESH)

Indore, Dated : 16-11-2018

Shri Manish Yadav, learned counsel for the applicant.

Shri Piyush Shrivastava, learned GA for the respondent/State.

Heard. Case diary perused.

This is first application under section 439 of Cr.P.C for grant of bail in connection with the Crime no 376/2018 registered at police station – Bagli, District - Dewas for commission of the offence punishable under sections 354, 506 of IPC and sections 7 / 8 of POCSO Act.

As per the prosecution story, a report was lodged by the prosecutrix alleging that she went to Kirana Shop, where the applicant / accused reached and caught her hand with intention to outrage her modesty.

Learned counsel for the applicant submitted that the applicant has not committed any offence and he has been falsely implicated in the present matter. He is 21 years old and is not having any criminal record. The allegation against the applicant is that he caught hold of hand of the prosecutrix. He is in custody since 19/10/2018 without any specific reason. Investigation is over and charge-sheet has been filed. Conclusion of the trial will take considerable time. In these circumstances, learned counsel for the applicant prays for grant of bail to the applicant.

On the other hand, learned public prosecutor for the respondent / State submits that no sufficient ground is made out for releasing the applicant on bail, hence the application

filed by the applicant be dismissed.

Considering the facts and circumstances of the case and the arguments advanced by learned counsel for the applicant, but without commenting on the merits of the case, the application filed by the applicant is allowed. The applicant **Sumersingh S/o Kailash** is directed to be released on bail on his furnishing a personal bond in the sum of **Rs. 50,000/-** with one solvent surety of the like amount to the satisfaction of the trial Court for his regular appearance before the trial Court during trial with a condition that he shall remain present before the Court concerned during trial and shall also abide by the conditions enumerated under section 437(3) of Cr.P.C.

Certified copy as per rules.

**(S.K. AWASTHI)**  
**JUDGE**