

HIGH COUR OF MADHYA PRADESH: BENCH AT INDORE

M.Cr.C.No.45584/2018

Jagdish and two others vs. State of M.P.

Indore, Dated: 16/11/2018

Shri Vivek Singh, learned counsel for the applicants.

Shri R.K.Sharma, learned counsel for the respondent /State.

This is first application under Section 439 Cr.P.C for grant of bail in connection with Crime No.1122/2018, registered at Police Station -Banganga, District-Dewas for commission of offence punishable under Sections 302, 506, 120-B of the IPC.

As per prosecution case, on 13/10/2018, complainant Karishma lodged a report against her husband Anand Goyal alleging that he has committed murder of her daughter.

Learned counsel for the applicants submits that the applicants were not named in the FIR nor in the statement of complainant Karishma recorded under Section 161 of the Cr.P.C.. First time in the statement recorded under Section 164 of Cr.P.C. she made an allegation against the applicants instigate her husband committed the murder of her daughter. However, this fact is not mentioned either in the FIR or in the statement recorded under Section 161 of the Cr.P.C., which clearly indicate that complainant Karishma falsely implicated the applicants in the present crime. The applicants are in custody since 14/10/2018. Investigation is over and the charge-sheet has been filed. The conclusion of trial will take sufficiently long time. Hence, he prays for grant of bail to the applicants.

Learned counsel for the State submits that no sufficient ground is made out for releasing the applicants on bail, hence the application filed by the applicants be dismissed.

Considering the facts and circumstances of the case and the arguments advanced by learned counsel for the applicants, but without commenting on the merits of the case, the application filed by the applicants is allowed. The applicants are directed to be released on bail on their furnishing a personal bond in the sum of **Rs.50,000/-(Rupees fifty Thousand Only) each** with one solvent surety of the like amount to the satisfaction of trial Court, for his regular appearance before the trial Court during trial with a condition that they 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.

This order shall be effective till the end of the trial, however, in case of bail jump, it shall become ineffective.

Certified copy as per rules.

(S. K. AWASTHI)
JUDGE