

HIGH COUR OF MADHYA PRADESH: BENCH AT INDORE

M.Cr.C.No.45715/2018

Raja s/o Kishan vs. State of M.P.

Indore, Dated: 16/11/2018

Shri Rakesh Sharma, learned counsel for the applicant.

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.1028/2018, registered at Police Station - Khajrana, District-Indore for commission of offence punishable under Sections 379 of the IPC.

As per prosecution case, on 28/10/2018, the complainant lodged a report against the applicant alleging that when he was going for *chunari Yatra* at that time the applicant cleverly theft his bag, which contains currency notes and other documents.

Learned counsel for the applicant submits that the applicant is innocent and he is not having any criminal antecedents. Only an amount of Rs.420/- has been recovered from the applicant. The applicant is in custody since 29/10/2018. The alleged offence registered against the applicant is triable by Judicial Magistrate First Class. Investigation is over, charge sheet has been filed and conclusion of the trial will take a long time. Therefore, counsel prays for grant of bail to the applicant.

Learned Public Prosecutor for the 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 is directed to be released on bail on his furnishing a personal bond in the sum of **Rs.40,000/-(Rupees Forty Thousand only)** 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 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.

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