

HIGH COURT OF MADHYA PRADESH :INDORE BENCH

M.Cr.C. No.47690/2018
(Ganga Singh & Vinod Kumar Vs. State of M.P.)

Indore dated :10.12.2018

Shri P.S. Kushwaha, learned counsel for the applicants.

Shri Peyush Jain, learned Public Prosecutor for the non-applicant/State.

Heard. Case diary perused.

This is repeat bail application under Section 439 of Cr.P.C. for grant of bail in connection with Crime No.338/2018 registered at Police Station – Bhikangaon, District – Khargone(M.P.) for commission of offence punishable under Section 25 of the Arms Act. The applicants are in custody since 16/09/2018.

Their earlier application was dismissed as withdrawn vide order dated 9/10/2018, passed in M.Cr.C. No.39912/2018.

Learned counsel for the applicants submits that the present applicants are innocent and they have been falsely implicated in the offence. They had been indulged frivolously in the alleged offence by doing conspiracy against them. He further submits that the investigation is over, charge-sheet has been filed and conclusion of the trial is likely to take long time. In such circumstances, he prays that the applicants be released on bail.

Learned Public Prosecutor for the non-applicant/State opposes the application and submits that no case is made out for enlarging the applicants on bail.

After taking into consideration all the facts and

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circumstances of the case and without commenting on merit of the case, the application filed under Section 439 of the Cr.P.C. is allowed. It is directed that the **applicants No.1 Ganga Singh and No.2 – Vinod Kumar** shall be released on bail upon their furnishing a personal bond of **Rs.50,000/-(Rs. Fifty Thousand Only)each** with one solvent surety each of the like amount to the satisfaction of the concerned Magistrate for their appearance on all the dates of hearing as may be directed in this regard during bail.

They are further directed that on being so released on bail, they would comply with the conditions enumerated under Section 437(3) of the Cr.P.C. meticulously.

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.

(Ms. Vandana Kasrekar)
Judge

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