

**THE HIGH COURT OF MADHYA PRADESH, BENCH AT INDORE**

**M.Cr.C. No.48088 of 2019**  
***(Shivlal & another vs. State of MP)***

**Indore, dated : 11.12.2019**

Shri Manoj Saxena, learned counsel for the applicants.

Shri R. S. Darbar, learned Public Prosecutor for the non-applicant – State.

Heard. Perused the diary.

This is first application under Section 439 of Cr.P.C. for grant of bail. Applicant No.1 – Shivlal S/o Parvatsingh and No.2 Pursingh S/o Shivlal are implicated in Crime No.228/2019 registered at Police Station – Susner, District Agar Malwa for the offence punishable under Sections 323, 294, 307, 506 and 34 of IPC and they are in custody since 17.08.2019 and 19.08.2019 respectively.

As per prosecution story, applicant No.1 Shivlal who is real brother of injured Nathusingh asked him as to why he had removed boundary (bagad) and on this an altercation took place and thereafter applicant No.1 Shivlal assaulted Nathusingh with a stick and applicant No.2 – Pursingh took out wooden implement from the bullock-cart and inflicted injury on the head of Nathusingh which on query was termed to be dangerous to life.

Learned counsel for the applicants submits that charge-sheet has since been filed and seeks permission of this Court to withdraw bail application filed on behalf of applicant No.2 Pursingh with liberty to file fresh application on behalf of applicant No.2 at an appropriate stage and submits that applicant No.1 Shivlal be granted bail.

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Prayer is allowed.

With the aforesaid liberty, application for grant of bail in respect of applicant No.2 Pursingh is dismissed as withdrawn.

Learned Public Prosecutor for the State was also heard.

On due consideration of the aforesaid and after perusal of case diary, without commenting upon the merits of the case, I allow this bail application partly and it is directed that the applicant No.1 – **Shivlal** shall be released on bail on furnishing a personal bond in the sum of **Rs.50,000/- (Rupees Fifty thousand only)** with **one solvent surety** in the like amount to the satisfaction of the concerned Trial Court/Committal Court for his regular appearance before the Trial Court/Committal Court on all dates of hearing as may be fixed in this behalf by the Court concerned during trial. It is also directed that the applicant shall abide by all the conditions enumerated under Section 437(3) of the Cr.P.C.

A copy of this order be sent to the Court concerned for compliance.

M.Cr.C. No.48088/2019 is partly allowed and stands disposed of

Certified copy as per rules.

(**Shailendra Shukla**)  
Judge

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