

THE HIGH COURT OF MADHYA PRADESH, BENCH AT INDORE

M.Cr.C. No.12673 of 2020
(Sanju vs. State of MP)

Indore, dated : 31.07.2020

Shri S. K. Sharma, learned counsel for the applicant is present in person through Video Conferencing.

Shri Amit Pal, learned Public Prosecutor for the non-applicant – State is present in person through Video Conferencing.

ORDER

Heard. Perused the case diary

This is second application under Section 439 of Cr.P.C. for grant of bail. Applicant – Sanju S/o Ramesh Gangle is implicated in Crime No.583/2019 registered at Police Station – Khargone, for the offence punishable under Sections 457 and 380 of IPC and he is in custody since 28.11.2019.

Vide order-sheet dated 27.07.2020, this Court had directed to produce copy of the impugned order passed by the Co-ordinate Bench by which bail has been granted to the applicant. The aforesaid order passed in MCRC No.12674/2020 is placed on record.

The applicant in that case was accused of committing offence under Sections 457 and 380 of IPC and in the present case also, he is accused of the same offence.

Per contra, learned Public Prosecutor for the State has opposed the bail application who submits that applicant is also convicted under Section 376 of IPC.

To this, learned counsel for the applicant submits that he has been given benefit of suspension for committing offence under Section 376 of IPC.

The offence under Sections 457 and 380 of IPC is triable by the

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JMFC. The accusation against the applicant is that he had stolen silver ornaments estimating to value of Rs.2.00 lacs.

Looking to the past criminal antecedents, although the bail application is being allowed however, rider needs to be imposed upon the applicant. The applicant – **Sanju** shall be released on bail subject to his furnishing a personal bond in the sum of **Rs.50,000/- (Rupees Fifty thousand only)** with **one local surety** 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. However, it is stipulated that the applicant shall mark his presence in the concerned police station on **First Monday of every month** between **10.00 AM to 12.00 Noon** for a period of one year and shall not indulge in any likewise activity and any breach of these stipulations would entail cancellation of bail without reference to this Court. It is ofcourse made clear if trial of the applicant concludes before one year from today, then the applicant shall not be required to appear before the concerned police station after the date of the judgement.

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

M.Cr.C. No.12673/2020 is allowed and stands disposed of.

Certified copy as per rules.

(Shailendra Shukla)
Judge

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