

**THE HIGH COURT OF MADHYA PRADESH**

**M.Cr.C. No.30797/2020**

*(Sanjay and another Vs. State of M.P.)*

**Indore, Dated: 16/09/2020**

Shri Nitin Vyas, learned counsel for the applicants.

Shri Ayushman Choudhary, learned counsel for the respondent/State.

Shri R.R. Trivedi, learned counsel for the objector.

Heard through video conferencing on the question of grant of bail.

This is an application made by the applicants (Sanjay and Jamsingh) under Section 439 Cr.P.C. for grant of bail during trial.

Notice of this application was served on the State counsel. Case diary as per the direction of this Court has been produced and it has been perused.

The applicants are facing trial for offence punishable under Section 307, 427 and 34 of the IPC registered with Police Station Chandrashekhar Azad Nagar, District Alirajpur, in Crime no.176/2020.

Learned counsel for the applicants submits that as per the allegation, the applicants had caused injury by means of *lathi* but all the injuries are simple in nature except one which has been found in the muscular region which is in the nature of fracture. He further submits that a cross case was also registered in crime No.178/2020 and that the applicants have no criminal antecedents. He further submits that the applicants are in custody since 17/06/2020 and that the investigation is complete and challan has already been filed.

Learned counsel for the State as well as the objector have opposed the application for grant of bail and have referred to the FIR allegations.

On perusal of the case diary and considering the circumstances of the case, I find prima facie force in the submissions made by the counsel for applicants. Hence I am of the considered view that the application for grant of bail deserves to be allowed and is accordingly **allowed**.

The applicants are directed to be released on bail on their furnishing a personal bond in the sum of Rs.35,000/- (Rupees Thirty Five Thousand) each with separate surety in the like amount to the satisfaction of the Trial Court for their appearance as and when directed.

The applicants will attend each hearing of their trial before the Trial Court out of which this bail arises. Any default in attendance in Court would result in cancellation of the bail granted by this Court.

Certified copy as per rules.

**(Prakash Shrivastava)**  
**Judge**

krjoshi