

HIGH COURT OF MADHYA PRADESH

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MCRC No.35565/20

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(Vijay Verma Vs. State of M.P.)

Indore, Dated : 25.9.2020

Shri Mukesh Sharma, learned counsel for the applicant.

Shri Viraj Godha, learned counsel for the respondent/State.

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

This is an application made by the applicant 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 applicant is facing trial for the offence punishable under Section 25(1-A)(A) of the Arms Act and under Section 379 of the IPC registered with Police Station- Bhikangaon in Crime No.365/2020.

Learned counsel for the applicant submits that the stolen motorcycle and a 12 bore Katta has been seized from co-accused Mukesh and that there is no allegation against the present applicant of committing any theft. He further submits that the applicant has been implicated only on the basis of the memorandum of co-accused Ritesh recorded under Section 27 of the Evidence Act, wherein he had stated that one pistol was also supplied by him to the present applicant and the said pistol was seized from the present applicant. He further submits that in similar circumstances co-accused Ankit was implicated who has been granted bail by this Court by order dated 8.9.2020 passed in M.Cr.C. No.32614/2020. He also submits that the co-accused Javed

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@ Chhotu has also been granted bail by order dated 8.9.2020 passed in M.Cr.C. No.32605/2020. He also submits that the applicant is in custody since 12.8.2020 and he is no longer required for the purpose of investigation and that the applicant has no criminal antecedents.

In reply learned counsel for the State has opposed the application for grant of bail.

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 applicant. Hence I am of the considered view that the application for grant of bail deserves to be allowed and is accordingly **allowed**.

The **applicant-Vijay Verma** is directed to be released on bail upon his furnishing a personal bond in the sum of **Rs. 35,000/- (Rs. Thirty Five Thousand)** with one surety in the like amount to the satisfaction of the Trial Court for his appearance as and when directed.

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

C.C. as per rules.

(Prakash Shrivastava)
Judge

trilok/-