

HIGH COURT OF MADHYA PRADESH :INDORE BENCH

M.Cr.C. No.36410/2020
(Yashwant Vs. State of M.P.)

Indore dated :23/10/2020

Heard through video conferencing.

Shri H.C. Tripathi, learned counsel for the applicant.

Shri Palash Choudhary, learned Panel Lawyer for the non-applicant/State.

Heard on I.A. No.6523/2020 that is an application for dispensing with filing of certified copy of M.Cr.C. No.34200/2019 passed on 11/09/2019 and undertaking to E-filing documents (original) filed.

On due consideration, I.A. No.6523/2020 is allowed.

The applicant is dispensed with filing of certified copy of M.Cr.C. No.34200/2019 passed vide order dated 11/09/2019.

Also heard on the question of bail application.

Case diary perused.

This is third application filed under Section 439 of Cr.P.C. for grant of bail in connection with Crime No.62/2019, registered at Police Station – Industrial Area, Ratlam(M.P.) for commission of offence punishable under Sections 454 and 380 of IPC. The applicant is in custody since 11/02/2019.

His earlier bail application has been dismissed as withdrawn vide order dated 11/09/2019, passed in M.Cr.C. No.34200/2019 with liberty to renew his prayer after a period of three months.

Learned counsel for the applicant submits that this third application has been filed after a period of one year. There is no direct or legal evidence to connect the present applicant with the aforementioned offences. He further submits that conclusion of the trial is likely to take considerable time. In the light of the aforesaid, he prays for grant of bail.

Learned Panel Lawyer for the non-applicant/State opposed

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the prayer and submits that no case is made out for releasing the applicant on bail and prays for rejection of the bail application.

After taking into consideration all the facts and circumstances of the case and material evidence available in the case diary, without commenting on merits of the case, the bail application filed under Section 439 of the Cr.P.C. is allowed. It is directed that the applicant shall be released on bail upon his furnishing a personal bond of **Rs.50,000/- (Rs. Fifty Thousand Only)** with one solvent surety of the like amount to the satisfaction of the concerned Magistrate for his appearance on all the dates of hearing as may be directed in this regard during bail.

He is further directed that on being so released on bail, he 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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