

The High Court Of Madhya Pradesh

MCRC-7486-2020

(BHUPENDRA @ CHINU Vs THE STATE OF MADHYA PRADESH)

Indore, Dated : 02-06-2020

Shri Vivek Singh, learned Counsel for the applicant.

Shri Akashdeep Shukla, P.L. for the respondent/State.

Heard on I.A. no. 2957/2020 for hearing during Lockdown period.

On due consideration, the same is allowed and disposed of.

This is **first** application under Section 439 of the Cr.P.C filed by the applicant. The applicant has been arrested in connection with Crime No.245/2017 registered at Police Station-Dwarkapuri, Indore for the offence punishable under Sections 302/34 of IPC.

Learned Counsel appearing on behalf of the applicant contends that the applicant has been falsely implicated in the present offence. Charge-sheet has been filed. Investigation is over and conclusion of the trial will take time. It is to be noted that as per the record, test identification parade was conducted on 04/01/2018, while the date of arrest is 03/12/2018. The applicant is in custody since 03/12/2018, therefore, prayer is made to enlarge the applicant on bail.

Per contra, learned GA opposes the bail application and submits that no case is made out for grant of bail to the applicant.

Heard. Case diary perused.

Taking into consideration all the facts and circumstances of the case, without commenting on the merits of the case, the application is allowed. It is directed that the applicant shall be

released on bail on his/her furnishing personal bond in the sum of Rs. 50,000/- (Rs. Fifty Thousand only) with one surety in the like amount to the satisfaction of the Trial Court for his/her appearance before the trial Court on the dates given by the concerned Court and also comply with the conditions enumerated under Section 437(3) of Cr.P.C.

CC as per rules.

(Ms. Vandana Kasrekar)
Judge