

HIGH COURT OF MADHYA PRADESH : BENCH AT INDORE
(SINGLE BENCH : HON. Mr. JUSTICE VIVEK RUSIA)

M.Cr.C. No. 27634 of 2021

(Pradeep Singh @ S/o. Jai Singh Bhadoriya. V/s. State of M.P.)

Date: 18.06.2021 :

Applicant by Shri Sankalp Sharma, Advocate.

Respondent/State by Shri Akash Sharma, Panel Advocate.

Heard the learned counsel for the parties through video conferencing.

ORDER

This is a repeat (6th) application filed under Section 439 of Cr.P.C. by the applicant - Pradeep Singh S/o. Jai Singh Bhadoriya, who has been arrested by the Police on 16.11.2019 in connection with Crime No.696/2019 registered at Police Station Dhamnood, District Dhar for the offence punishable under Section 25, 27 of the Arms Act.

As per prosecution story, from the possession of the applicant four country made pistol and two cartridge were recovered. He was arrested and sent to custody.

Learned counsel for the applicant submits that three bail applications bearing registration M.Cr.C.No.4643/2020, M.Cr.C.no.12817/2020 and 48148/2020 were dismissed as withdrawn vide order dated 31.01.2020, 29.05.2020 and 07.01.2021 respectively. The applicant is in jail since 16.11.2019, therefore, he has completed minimum sentence of one year. Two seizure witnesses have been examined before the trial court and they have turned hostile. Hence, applicant be released on bail.

Learned Panel Lawyer for the respondent/State opposes the bail application and prays for its rejection.

Considering the facts and circumstances of the case but without commenting on the merit of the case, the application is allowed and he is directed to be released on bail upon his furnishing personal bond in the sum of **Rs.30,000/- (Rupees Thirty Thousand only)** with one surety in the like amount to the satisfaction of the Trial Court for his appearance before that Court during the pendency of trial and shall

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also abide by the conditions enumerated under section 437(3) Cr.P.C. The applicant is also directed to mark his presence in the concerned Police Station at 11.30 am on every Monday till conclusion of the trial.

Before releasing the applicants from custody, the jail authorities are directed to medically examine in order to rule out the possibility of COVID -19 infections and shall comply with the direction given by the Hon'ble Apex Court in Writ Petition No. 1/2020.

C.C. as per rules.

**(VIVEK RUSIA)
JUDGE**

Alok/-