

HIGH COURT OF MADHYA PRADESH: BENCH AT INDORE

M.Cr.C. No.30352/2021

Rajpal Singh v/s The State of Madhya Pradesh

Indore, dated 03.08.2021

Heard through video conferencing.

Shri Raj Kumar Swarnkar, learned counsel for the applicant.

Shri Vikas Jaiswal, learned Panel Lawyer for the respondent / State.

With the consent, finally heard.

This is the third application filed by the applicant under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail in connection with Crime No.252/2020 registered at Police Station – Sendhwa City, District – Barwani for the offences registered under 25(1)(A) of the Arms Act. The applicant is in custody since 03.08.2020.

Learned counsel for the applicant submits that his previous application was dismissed on 27.01.2021 by permitting him to renew it after six months. Present application is filed after six months. Challan has been filed. Although applicant has five more cases relating to offence under the Arms Act, in all such cases applicant was arraigned on the basis of memorandum of co-accused obtained under Section 27 of the Indian Evidence Act. The conclusion of trial in this pandemic era will take time. Hence, the applicant may be enlarged on bail.

The prayer is opposed by learned Panel Lawyer for the respondent / State.

Indisputably, challan has been filed. The conclusion of trial in this pandemic era will take time. The incriminating material is already in possession of prosecution. Crucial witnesses are departmental / police officials. Considering the aforesaid, I deem it proper to enlarge the applicant on bail. Accordingly, the bail application is allowed.

The applicant is directed to be enlarged on bail on his furnishing personal bond in the sum of **Rs.50,000/- (Rupees Fifty Thousand Only)** with one solvent surety of the like amount to the satisfaction of the trial Court for his appearance as and when directed. He shall abide by the conditions enumerated under section 437(3) of the Cr.P.C.

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

With the aforesaid, the application stands disposed of.

Certified copy, as per Rules.

(SUJOY PAUL)
J U D G E

Ravi