

**IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE**

BEFORE

HON'BLE SHRI JUSTICE BINOD KUMAR DWIVEDI

ON THE 11th OF JUNE, 2024

MISC. CRIMINAL CASE No. 23302 of 2024

BETWEEN:-

**GANGU S/O BHAMARSINGH BHEEL, OCCUPATION:
LABOUR, R/O: VILLAGE GUDA, TEHSIL KUKSHI,
DISTRICT DHAR (MADHYA PRADESH)**

.....APPLICANT

(BY SHRI DURGESH SHARMA - ADVOCATE.)

AND

**THE STATE OF MADHYA PRADESH, THROUGH STATION
HOUSE OFFICER, POLICE STATION TANDA, DISTRICT
DHAR (MADHYA PRADESH)**

.....RESPONDENT

***(BY SHRI SHASHIKANT BHATI - ADVOCATE APPEARING ON BEHALF OF
ADVOCATE GENERAL.)***

*This application coming on for admission this day, the court passed the
following:*

ORDER

This **first** bail application under Section 439 of Code of Criminal Procedure, 1973 (herein after referred to as the Code) has been filed by the applicant for grant of regular bail in relation to Crime / FIR No.128 of 2024 dated 15.04.2024 registered at Police Station Tanda, District Dhar (M.P.) for commission of offence under Sections 25-B and 27 of Arms Act, 1959. The applicant is in jail since 15.04.2024.

2. Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated in the crime. He fairly submits that 4 - 5 cases

were registered long back during the years 2013 - 2015 against the applicant, but after that, in 2024, this case has been registered. There is no likelihood of absconding and tempering with the prosecution evidence / witness (es). Charge-sheet has already been filed; and if this applicant is enlarged on bail, he will abide by all the terms and conditions imposed by the Court, therefore, he may be released on bail.

3. Learned counsel for the respondent - State has vehemently opposed the prayer on the ground of criminal past of the applicant.

4. Heard learned counsel for the parties and perused the case diary.

5. It is alleged that one country made pistol (*Katta*) with live cartridge has been recovered from the possession of the applicant.

6. After due consideration, regular bail application is **allowed**. It is directed that the applicant be released on bail upon his furnishing a personal bond in the sum of **Rs.50,000/- (rupees fifty thousand only)** with **one solvent surety** in the like amount to the satisfaction of the trial Court, for his / her regular appearance before the concerned Court on all the dates fixed by the said Court during trial.

7. It is also made clear that in case the applicant repeats similar offence during pendency of this case, this bail order shall be re-considered for cancellation.

8. The applicant shall also comply with provisions of Section 437 (3) of the Code.

9. This order shall be effective till the end of the trial, however, in case of bail jump and / or breach of any of the conditions of bail, it shall become ineffective.

10. Accordingly, this M.Cr.C. stands allowed and disposed off.

Certified copy, as per rules.

(BINOD KUMAR DWIVEDI)
V. JUDGE

rcp

