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

**BEFORE
HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA**

ON THE 1st OF MARCH, 2024

MISC. CRIMINAL CASE No. 8283 of 2024

BETWEEN:-

**LALIT @ LALLA S/O KASBU, AGED ABOUT 28 YEARS,
OCCUPATION: LABOUR KANJAR DERA PIPALRANWA,
TEHSIL SONKATCH, DISTRICT DEWAS (MADHYA
PRADESH)**

.....APPLICANT

(SHRI RAJNISH YADAV - ADVOCATE)

AND

**THE STATE OF MADHYA PRADESH STATION HOUSE
OFFICER THROUGH POLICE STATION INDUSTRIAL
AREA, DISTRICT DEWAS (MADHYA PRADESH)**

.....RESPONDENT

(SHRI SHASHIKANT BHATI- PUBLIC PROSECUTOR)

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

ORDER

1. This is second bail application under Section 439 of Cr.P.C for grant of regular bail in connection with crime No.896/2023 dated : not mentioned, registered at P.S. - Industrial Area, Dewas for offences punishable under Section 379 of IPC. His first application was dismissed as withdrawn.

2. It is alleged that the applicant had committed theft by breaking lock of one Eisher vehicle and stolen 5 LED TVs.

3. Learned counsel for the applicant submits that the applicant is in jail since 11.01.2024. The investigation has been completed and the charge sheet

has been filed. It is further argued that the applicant has been implicated on the basis of memo of co-accused and there is no recovery from the present applicant.

4. Learned counsel for the respondent/state opposed the prayer and submits that apart from this case, there are six cases of similar nature except one of Excise Act. He is a habitual offender.

5 . After hearing learned counsel for the parties and taking into consideration that the applicant has been implicated in the present case on the basis of memo of co-accused and there is no recovery from the applicant, this Court is of the view that the applicant is entitled for grant of bail on the following conditions:-

A) **That the applicant shall mark his presence before the concerned Police Station on every 15th of the month during the pendency of trial.**

B) **That the applicant shall not indulge in any offence while on bail. If the applicant indulges in any offence while on bail, the prosecution shall be at liberty to apply for cancellation of bail.**

6. It is further directed that applicant **Lalit @ Lalla** shall be released from custody upon furnishing a personal bond of **Rs.50,000/- (Rupees Fifty Thousand Only)** with a solvent surety of the like amount to the satisfaction of the Ld. Court below.

7. A typed copy of this order is being forwarded to the Office of the Advocate General, on their email address, for intimation to the Police Station concerned. The office is requested to forward a copy of this order to the Ld. Court below.

8. With the aforesaid, the application is **allowed and disposed off.**

Cc as per rules.

(VIJAY KUMAR SHUKLA)
JUDGE

Sourabh

