

**THE HIGH COURT OF MADHYA PRADESH**

**M.Cr.C. No.46188/2018**  
**(Jakir @ Jagga S/o Syed Ahmed V/s. State of M.P.)**

**Jabalpur, Dated: 14/12/2018**

Shri Anurag Sahu, learned counsel for the applicant Jakir @ Jagga.

Shri Narendra Chourasiya, learned Govt. Advocate for the respondent/State.

This is the First application under Section 439 Cr.P.C., for grant of bail in connection with Crime No.394/2018, registered at Police Station – Moghat Road, District – Khandwa for commission of the offence punishable under Sections 294, 323, 506, 307 & 34 of IPC.

As per prosecution case, on 23.09.2018, first applicant and co-accused beat the victim by kicks and fists and thereafter Nayeem and Arbaz came there with sword and pipe and they also beat the victim.

Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated in the present case. He has no connection with the crime. The applicant is not having any criminal antecedent. It is further submitted that co-accused Arbaz has been enlarged on bail by the trial Court and the case of the applicant is more or less same with the co-accused. He is a permanent resident of District Khandwa and there is no chance of his absconding and tempering of prosecution evidence. He is in custody since

2  
**M.Cr.C. No.46188/2018**

05.10.2018. Investigation is over and charge sheet has been filed. Conclusion of the trial will take considerable time, therefore, he prays for grant of bail to the applicant.

Learned Public Prosecutor has opposed the bail.

Considering the facts and circumstances of the case, the arguments advanced by learned counsel for the applicant and looking to the ground of parity, but without commenting on the merits of the case, the application filed by the applicant is allowed. The applicant is directed to be released on bail on his furnishing a personal bond in the sum of **Rs.40,000/- (Rupees Forty Thousand only)** with **one solvent surety** of the like amount to the satisfaction of trial Court, for his regular appearance before the trial Court during trial with a condition that he shall remain present before the Court concerned during trial and shall also abide by the conditions enumerated under Section 437 (3) of Cr.P.C.

This order shall be effective till the end of the trial, however, in case of bail jump, it shall become ineffective.

Certified copy as per rules.

**(VISHNU PRATAP SINGH CHAUHAN)**  
**JUDGE**