

THE HIGH COURT OF MADHYA PRADESH

M.Cr.C. No.46655/2018
(Kailash Jatav S/o Jamna Prasad Jatav V/s. State of M.P.)

Jabalpur, Dated: 14/12/2018

Shri S.B.Shrivastava, learned counsel for the applicant Kailash Jatav.

Shri Ramji Pandey, 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.650/2018, registered at Police Station – Gadarwara, District – Narsinghpur for commission of the offence punishable under Sections 294, 458, 324, 506, 302 and 34 of IPC.

As per prosecution case, in the night of 06.08.2018 when deceased Chandrabhan Jatav was sleeping with his grandfather Munna Jatav, at that time Kailash Jatav resident of Village Gardha entered into the house of the deceased and with one iron object caused injury on the head of the deceased. Deceased was taken to the hospital, where doctor declared him dead. When Kailash Jatav resident of Village Gardha entered into the house of the deceased, Kailash Jatav resident of Richhawar was waiting him outside the house on the motorcycle. After the incident both of them fled away from the spot.

Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated in the

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present case. He has no connection with the crime. The applicant is not having any criminal antecedent. He is a permanent resident of District Narsinghpur and there is no chance of his absconding and tempering of prosecution evidence. He is in custody since 09.08.2018. 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 and the arguments advanced by learned counsel for the applicant, but without commenting on the merits of the case, the application filed by the applicant is allowed. The applicant **Kailash Jatav resident of Richhawar** is directed to be released on bail on his furnishing a 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 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