

Sheikh Sabir vs The State Of Madhya Pradesh on 27 September, 2024

Author: Achal Kumar Paliwal

Bench: Achal Kumar Paliwal

NEUTRAL CITATION NO. 2024:MPHC-JBP:49817

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IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
BEFORE
HON'BLE SHRI JUSTICE ACHAL KUMAR PALIWAL
ON THE 27th OF SEPTEMBER, 2024
MISC. CRIMINAL CASE No. 41922 of 2024
SHEIKH SABIR
Versus
THE STATE OF MADHYA PRADESH
Appearance:
Shri Mithilesh Pd.Tripathi - Advocate for the applicant
Shri Satya Pal Chadar- G.A. for the respondent/State.

ORDER

This is first bail application filed on behalf of the applicant under Section 483 of Bhartiya Nagrik Suraksha Sanhita.

2. The applicant is in custody since 17.08.2024 in connection with Crime No.289/2024 registered at P.S.-Lalbag, District- Burhanpur (M.P.) for the offence punishable under Sections 4,5 and 9 of MP Govansh Vadh Pratished Adhiniyam and Section 25(1-B) B of Arms Act.

3. Prosecution story, if brief, is that co-accused persons were found in possession of 80 kg flesh of cow and one knife has been recovered from the possession of applicant.

4. Learned counsel for the applicant submits that nothing has been recovered from applicant, only knife has been recovered from him. Applicant has been made accused only on the basis of memorandum of co-accused. Applicant has no criminal antecedents. He further submits that the trial of the case will take considerable time. Therefore, it has been prayed that the applicant be released on bail pending the trial.

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5. On the other hand, learned counsel for the State has opposed grant of bail.

6. In view of over all facts and circumstances of the case, including nature of evidence, without expressing any opinion on the merit of the case, I am inclined to release the applicant on bail. Consequently, bail application filed on behalf of applicant, stands allowed.

7. It is directed that applicant- Sheikh Sabir be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with one solvent surety in the like amount to the satisfaction of the trial Court, for his regular appearance before the trial Court during trial with a condition that he shall remain present before the concerned Court on all the dates fixed by it during trial. He shall abide by all the conditions enumerated under Section 480(3) of Bharatiya Nagarik Suraksha Sanhita, 2023.

8. This order shall be effective till the end of the trial. However, in case of bail jump and breach of any of the conditions of bail, it shall become ineffective.

9. Certified copy as per rules.

(ACHAL KUMAR PALIWAL) JUDGE L.R.