

Anar Singh vs The State Of Madhya Pradesh on 31 August, 2023

Author: Sanjay Dwivedi

Bench: Sanjay Dwivedi

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IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
BEFORE
HON'BLE SHRI JUSTICE SANJAY DWIVEDI
ON THE 31 st OF AUGUST, 2023
MISC. CRIMINAL CASE No. 38753 of 2023

BETWEEN: -
ANAR SINGH S/O SOMVAR BHEEL, AGED ABOUT 50
YEARS, OCCUPATION: LABOUR, R/O BASALI, TAHSIL
NEPANAGAR, DISTT. BURHANPUR (MADHYA PRADESH)

(BY SHRI VIKAS CHOUKSEY - ADVOCATE)

AND
THE STATE OF MADHYA PRADESH THROUGH POLICE
STATION NIMBOLA, DISTRICT BURHANPUR (MADHYA
PRADESH)

(BY SHRI AMIT PANDEY - PANEL LAWYER)

This application coming on for admission this day, the co
following:

ORDER

This is the second application filed by the applicant under Section 439 of the Code of Criminal Procedure for grant of bail relating to FIR No.447/2022 dated (not mentioned) registered at Police Station Nimbola, District Burhanpur, for the offence under Sections 363, 365, 368, 370 and 511 of the Indian Penal Code and Sections 81 and 84 of the Juvenile Justice Act. The applicant is in jail since 13.08.2022.

2. The earlier bail application for the applicant was dismissed as withdrawn vide order dated 29.09.2022 passed in M.Cr.C. No.44510 of 2022.

3. The counsel for the applicant submits that the other co-accused person against whom allegation of taking away the child from his house was made, has been granted bail by this Court vide order dated 21.07.2023 passed in M.Cr.C. No.29513 of 2023. He submits that the present applicant was also involved in the alleged crime and his role was confined to the extent the child who was alleged to have been kidnapped was kept in the house of the present applicant. The statement of the child

has also been recorded and the same is available on record. On these grounds, he prays for grant of bail to the present applicant.

4. Considering the submission made by the counsel for the applicant, though the same is opposed by the counsel for the State, but looking to the allegation made against the present applicant and the fact that the other co-accused has already been released on bail, I am inclined to consider and allow this bail application. Therefore, without commenting anything on the merits of the case, this application is allowed.

5. It is directed that the applicant be released on bail upon his furnishing a personal bond in the sum of Rs.1,00,000/- (Rupees One Lac) with one solvent surety of the like amount to the satisfaction of the trial Court concerned for his appearance on the dates given by it.

6. It is further directed that the applicant shall abide by the conditions enumerated in Section 437(3) of the Code of Criminal Procedure.

Certified copy as per rules.

(SANJAY DWIVEDI) JUDGE ac/-