

Amit vs The State Of Madhya Pradesh on 20 August, 2014

M.Cr.C.No. 6796/14

Amit Vs. State of M.P.

20/08/2014

Shri S. K. Raghuvanshi, Advocate for the applicant.

Shri M.Bharadwaj, Public Prosecutor for the respondent/State.

Heard on the bail application.

Perused the case diary This is first application under Section 439 of Cr.P.C. The applicant has been arrested in Crime No.114/14 registered at Police Station Gulabganj, District Vidisha, under Sections 354-A, 452, 506, 34 of IPC & Section 7/8 of Protection of Children from Sexual Offences Act.

It is submitted by learned counsel for the applicant that applicant has been falsely implicated. He has not committed any offenses. He is in custody since 11/07/2014. Learned counsel further contends that co-accused Narendra Ahirwar has been granted bail vide order dated 05/08/2014 passed in M.Cr.C. No. 6484/14. The case of applicant is identical with the co-accused, hence on parity applicant is also entitled for grant of bail..

The application is opposed by learned counsel for the State.

Looking to the allegations against the applicant and coupled with the fact that co-accused has been granted bail and the offences alleged against the applicant are identical with the co-accused, hence on parity but without commenting on the merit of the case, the application is allowed. It is directed that the applicant shall be released on bail on his furnishing personal bond in the sum of Rs. 50,000/- (Rupees Fifty Thousand Only) with one solvent surety in the like amount to the satisfaction of Trial Court.

This order will remain operative subject to compliance of the following conditions by the applicant :-

1. The applicant will comply with all the terms and conditions of the bond executed by him;
2. The applicant will cooperate in the investigation/trial, as the case may be;
3. The applicant will not indulge himself in extending inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to the Police Officer, as the case may be;
4. The applicant shall not commit an offence similar to the offence of which he is accused;

5. The applicant will not seek unnecessary adjournments during the trial; and
6. The applicant will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be.

A copy of this order be sent to the Court concerned for compliance.

C.c. as per rules.

(D.K.Paliwal) Judge neetu