IN THE HIGH COURT OF MADHYA PRADESH AT INDORE

BEFORE

HON'BLE SHRI JUSTICE PREM NARAYAN SINGH

ON THE 2nd OF FEBRUARY, 2024

MISC. CRIMINAL CASE No. 4612 of 2024

BETWEEN:-

TALIM S/O SHEKU, AGED ABOUT 21 YEARS, OCCUPATION: LABOR SUSADAIYA MULTAN DIST. MANDSOR (MADHYA PRADESH)

.....APPLICANT

(SHRI MANISH YADAV, LEARNED COUNSEL FOR THE PETITIONER .

AND

THE STATE OF MADHYA PRADESH STATION HOUSE OFFICER THROUGH POLICE STATION KANWAN, DIST. DHAR (MADHYA PRADESH)

.....RESPONDENTS

(SHRI AJAY RAJ GUPTA APPEARING ON BEHALF OF ADVOCATE GENERAL.

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

ORDER

This is second application filed on behalf of the applicant for grant of regular bail under Section 439 of the Code of Criminal Procedure, 1973 relating to FIR No.639/2023 dated (not mentioned), registered at Police Station-Kanwan, District-Mandsaur (M.P.) for the offence punishable under Sections 279, 337 of the Indian Penal Code, 1860 and under Section 4, 6, 6-a, 9 of M.P. Govansh VAdh Pratished Adhiniyam and section 11(d) of Prevention of Cruelty to the Animals Act. The applicant is in custody since 09.11.2023.

2. Earlier, first bail application was dismissed as withdrawn by this Court

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with liberty to renew the prayer after 45 days.

3 . Learned counsel for the applicants submits that the applicant is innocent and has falsely been implicated in this case. It is further submitted first bail application was dismissed as withdrawn by this Court with liberty to renew the prayer after 45 days and now, the aforesaid period has already been lapsed. The applicant is in custody since 09.11.2023. Final conclusion o f the trial is likely to take sufficient long time, therefore, it is prayed that the application be allowed and the applicants be released on bail.

4. Counsel for the respondent/State, on the other hand, has opposed the prayer and prays for its rejection.

5. Having taken into consideration all the facts and circumstances of the case, custody period of the applicant and liberty to granted to the applicant, I am inclined to release the applicant on bail. Consequently, without commenting anything on the merits of the case, bail application under Section 439 of the Code of Criminal Procedure filed on behalf of applicant, stands **allowed.**

6. It is directed that applicant 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 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 437(3) of Cr.P.C.

7. 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.

Certified copy as per rules.

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(PREM NARAYAN SINGH)
JUDGE

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