IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE VISHAL DHAGAT

ON THE 2nd OF FEBRUARY, 2024

MISC. CRIMINAL CASE No. 4300 of 2024

BETWEEN:-

HABBU SINGH S/O GHUDELAL, AGED ABOUT 55 YEARS, OCCUPATION: LABOUR R/O VILLAGE KALYAKHEDI, POLICE STATION SEONI, DISTRICT NARMADAPURAM (MADHYA PRADESH).

.....APPLICANT

(BY SHRI L.N. SAKLE - ADVOCATE)

AND

THE STATE OF MADHYA PRADESH THROUGH THE POLICE STATION SEONI MALWA DISTRICT NARMADAPURAM (MADHYA PRADESH).

.....RESPONDENT

(BY SHRI AKSHAY NAMDEO - GOVERNMENT ADVOCATE)

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

ORDER

This is the first bail application filed by applicant under Section 439 of Code of Criminal Procedure for grant of regular bail relating to FIR No. 699/2023, registered at Police Station-Seoni Malwa, District Narmadapuram (M.P.) for the offence punishable under Sections 294, 323, 307, 506 and 34 of IPC.

2 . Learned counsel appearing for applicant submitted that other co-accused persons namely Kewalram and Ramshankar were released on bail vide order dated 23.01.2024 passed in M.Cr.C. No. 1186/2024. Case of applicant is

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similar to that of co-accused persons. It is submitted that applicant has not caused any injury. Applicant is in jail since 27.11.2023. In these circumstances, applicant be released on bail.

3. Learned Government Advocate appearing for the State opposed the bail application. It is submitted that offence is serious in nature.

4. Heard learned counsel for the parties.

5. Considering the facts of the case and on ground of parity, bail application filed by the applicant 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 the trial Court concerned for his regular appearance before Court on all such dates as may be fixed in this regard during pendency of trial.

6. The applicant shall also abide by the following conditions of Section 437(3) of Cr. P. C. as under:-

> *(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter;*
>
> *(b) that such person shall not commit any offence similar to the offence of which he is accused, or suspected of the commission of which he is suspected and;*
>
> *(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.*

7. Certified copy as per rules.

(VISHAL DHAGAT)
JUDGE

vkt

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