# 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. 4432 of 2024**

**BETWEEN:-**

**WASI @ FAJIKALA S/O AKHTAR ALI, AGED ABOUT 24 YEARS, OCCUPATION: PRIVATE WORK R/O OLD SEFIA NEAR TO SAKEEL DENTER HOUSE SHAHJAHANABAD DISTRICT BHOPAL (MADHYA PRADESH).**

**.....APPLICANT**

***(BY SHRI SAURABH SHRIVASTAVA - ADVOCATE)***

**AND**

**THE STATE OF MADHYA PRADESH THROUGH POLICE STATION BAJARIYA DISTRICT BHOPAL (MADHYA PRADESH).**

**.....RESPONDENT**

***(BY SHRI PRAMOD CHOUBEY - GOVERNMENT ADVOCATE)***

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

**ORDER**

This is the seventh bail application filed by applicant under Section 439 of Code of Criminal Procedure for grant of regular bail relating to FIR No. 376/2019, registered at Police Station-Bajariya, District Bhopal (M.P.) for the offence punishable under Sections 307/34 of IPC.

2. Learned counsel appearing for applicant submitted that applicant is in jail for last four and a half years i.e. from 15.08.2019. Considering long period of custody, applicant be released on bail.

3. Learned Government Advocate appearing for the State opposed the

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bail application. There is direct evidence against him by the injured victim. It is submitted that applicant is having criminal record and a hard core criminal, therefore, he may not be released on bail.

4. Heard learned counsel for the parties.

5 . Applicant is in jail for last four and half years. 20 witnesses have already been examined in Court and there are 28 witnesses in total. From Status report, it appears that trial is likely to take some more time in its conclusion.

6. Considering aforesaid circumstances of the case, 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.

7. 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.*

8. Certified copy as per rules.

**(VISHAL DHAGAT)**
**JUDGE**

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