

Lokendra @ Gabbu Vs State Of Madhya Pradesh

Court: Madhya Pradesh High Court (Indore Bench)

Date of Decision: Oct. 25, 2023

Acts Referred: Scheduled Caste And Scheduled Tribe (Prevention Of Atrocities) Act, 1989 " Section 3(1)(a), 3(1) (r), 3(1)(s), 3(1)(y), 3(2)(v), 3(2)(v)(a), 14A(2)
Indian Penal Code, 1860 " Section 34, 306

Hon'ble Judges: Prakash Chandra Gupta, J

Bench: Single Bench

Advocate: Makbool Ahmad Mansoori, Kshitij Vyas

Final Decision: Allowed/Disposed Of

Judgement

Prakash Chandra Gupta, J

1. This is first appeal under Section 14 A (2) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 for grant of bail filed

by the appellant/accused relating to FIR/Crime No.357/2017 dated - 19.09.2017 registered at Police Station "Industrial Area Jaora, District Ratlam

for the offence punishable under Sections 306 and 34 of IPC and Sections 3(1)(a), 3(1) (r), 3(1)(s), 3(1)(y), 3(2)(v) and 3(2)(v)(a) of the SC/ST Act.

2. It is a case of bail jump. In the present case initially, the appellant was arrested on 22.09.2023. Thereafter, he was released on bail by the learned

trial Court; and now, he is in custody since 27.09.2023.

3. Earlier, appellant was granted bail by the trial Court. Thereafter, during pendency of the trial, he failed to appear before the trial Court due to Covid-

19 therefore, on 22.08.2023, trial Court issued warrant of arrest and he was arrested on 22.09.2023 and produced before the trial Court and is in

custody since then and his absence was bona fide, therefore, prays that this application for grant of bail be allowed and he be released on bail.

4. Learned counsel for the respondent - State has objected the prayer and prayed for its rejection.

5. On due consideration of the aforesaid and looking to the period of custody of the appellant, without expressing any opinion on the merits of the case,

I allow the bail application and it is directed that the appellant - Lokendra

@ Gabbu S/o Shri Vikram Singh shall be released on bail subject to his furnishing a personal bond in the sum of Rs.50,000/- (Rupees Fifty thousand

only) with a solvent surety in the like amount to the satisfaction of the concerned Trial Court with a direction that he will cooperate in trial and present

himself regularly before the Trial Court on each and every date fixed by the Court concerned during trial and if during trial, he is found absent without

any sufficient cause by the Trial Court, then the bail order passed by this Court shall automatically come to an end.

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

7. The bail application is allowed and stands disposed of.

Certified copy as per rules.