

**(2024) 06 MP CK 0045**

**Madhya Pradesh High Court (Indore Bench)**

**Case No:** Miscellaneous Criminal Case No. 22764 Of 2024

Sahil Ben @ APPELLANT @Hash

State of Madhya Pradesh

APPELLANT

Vs

RESPONDENT

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**Date of Decision:** June 14, 2024

**Acts Referred:**

- Code of Criminal Procedure, 1973 - Section 439
- Madhya Pradesh Excise Act - Section 34 (2)

**Hon'ble Judges:** Sheel Nagu, J,

**Bench:** Single Bench

**Advocate:** Sandesh Dixit, Subodh Kathar

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### **Judgement**

At the outset, learned counsel for the applicants submit that he does not wish to press the instant application for applicant No.3-Pappu @ Pradeep. Accordingly, the application is dismissed as not pressed for applicant No.3- Pappu @ Pradeep.

The applicants have filed this first application under Section 439 Cr.P.C for grant of bail.

Applicants have been arrested on 16.05.2024 by Police Station Baghwa, District Chhatapur (M.P.) in connection with Crime No. 277 of 2023 registered for offence punishable under Sections 147, 148, 323, 324, 294, 506, 326 of IPC.

Learned counsel for the applicants submit that on the report of Amresh Adiwasi FIR No.276 of 2023 was registered against the opposite party which was registered prior to crime no.277/2023. The applicants are innocent and have falsely been implicated in the present case. The applicants are in custody since 16.05.2024. The applicants are permanent resident of Distt. Chhatarpur and there is no likelihood of their absconsion or tampering with the prosecution evidence. They are ready to abide by the terms and

conditions as may be imposed. With the aforesaid submissions, prayer for grant of bail is made out.

**Per contra**, learned counsel for the respondent/State has opposed the bail application.

Looking to the facts and circumstances of the case, without expressing any opinion on merits of the case, this application is allowed and it is directed that the applicants namely **Hemraj Vanshkar, Khajju, Lampa, Saria, Arjun, Uttam, Amrish, Deepa @ Deepak and Chatra** be released on bail on furnishing a personal bond in the sum of **Rs.50,000/- (Rupees Fifty Thousand Only)** each with one surety of the like amount to the satisfaction of the trial Court/committal Court for their appearance on the dates given by the concerned Court.

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

1. The applicants will comply with all the terms and conditions of the bond executed by him;
2. The applicants will cooperate in the investigation/trial, as the case may be;
3. The applicants 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 applicants shall not commit any other offence during pendency of the trial, failing which this bail order shall stand cancelled automatically, without further reference to the Bench;
5. The applicants will not seek unnecessary adjournments during the trial; and
6. The applicants 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 trial Court concerned for information and compliance.

Certified copy as per rules.