

(2021) 06 MP CK 0207

In the Madhya Pradesh High Court

Case No : Miscellaneous Criminal Case No.31631 Of 2021

Akash Ahirwar

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 29-06-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 437(3), 439

Indian Penal Code, 1860 — Section 34, 294, 323, 324, 327, 329, 506

Citation : (2021) 06 MP CK 0207

Hon'ble Judges : Vishal Dhagat, J

Bench : Single Bench

Advocate : Amit Jain, Amit Bhurrak

Final Decision : Allowed

Judgement

Vishal Dhagat, J

This is second bail application filed under Section 439 of Cr.P.C. for grant of bail to the applicant.

Applicant has been arrested on 25.1.2021 in connection with Crime No.26/2021 registered at Police Station Bina, District Bina (M.P.) for commission

of offence punishable under Sections 327, 324, 323, 294, 506 and 329/34 of the IPC.

It is submitted by learned counsel appearing for applicant that offence registered against the applicant is triable by Judicial Magistrate First Class.

Applicant is a young boy of 18 years and is in custody since 25.1.2021. It is further submitted that applicant will become hardened criminal in company

of other criminals in jail. It is also submitted that the first bail application was rejected on the ground that applicant was having criminal antecedents. It

is submitted that two other co-accused persons namely; Raj Panthi and Naman

Ahirwar were having criminal antecedents. Applicant is not having any criminal antecedent and this is the first case registered against him.

On being asked whether applicant is having any criminal antecedent, it is informed by the learned Panel Lawyer for the State that there is no other criminal case registered against the applicant except the present Crime No.26/2021 at Police Station Bina.

Considering the facts and circumstances of the case and looking to the young age of the applicant, bail application filed by applicant is allowed.

It is directed that applicant Akash Ahirwar shall be released on bail on his furnishing a personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand) with one solvent surety of the like amount to the satisfaction of the trial Court.

The applicant shall abide by the conditions enumerated in Section 437 (3) of Cr.P.C.

Certified copy as per rules.