
(2020) 10 MP CK 0237

In the Madhya Pradesh High Court

Case No : Miscellaneous Criminal Case No. 29242 Of 2020

Bihari And Others

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 22-10-2020

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 437(3), 439
Indian Penal Code, 1860 — Section 417, 418, 420

Citation : (2020) 10 MP CK 0237

Hon'ble Judges : J. P. Gupta, J

Bench : Single Bench

Advocate : Aseem Dixit, Amit Dubey, Amit Pandey

Final Decision : Allowed

Judgement

J. P. Gupta, J

This is the first bail application filed by the applicants under Section 439 of the Cr.P.C. for grant of bail, who are in custody since 11.8.2020 in connection with Crime No.288/2018 registered at Police Station Rahli District Sagar for the offence punishable under Sections 420, 417 and 418 of the IPC.

Allegation against the applicants are that they being the employee of the Society, purchased gram under the scheme of the State Government and had purchased 39 Quintals of gram from one farmer which was found substandard.

It is submitted that the applicants are innocent. They are in custody since 11.8.2020. Charge sheet has been filed. Trial will take time due to Covid-19. The applicants have no criminal antecedents and there is no likelihood of their absconding or tempering with the material witnesses. Hence, they be enlarged on bail.

Learned P.L., opposed the application and prayed for rejection of the same.

Having considered the contentions of learned counsel for the parties and

perusing the record, without commenting anything on the merits of the case, in view of this court, it is a fit case to grant bail. Hence, this application is allowed.

Applicants Bihari and Santosh are directed to be released on bail on each of them furnishing a personal bond in a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with a solvent surety each in the like amount to the satisfaction of the trial court for their appearance before the trial Court on the dates so fixed by that Court during trial. It is directed that applicants shall comply the provisions of Section 437(3) Cr.P.C.

Certified copy as per rules.