
(2022) 11 MP CK 0076

In the Madhya Pradesh High Court

Case No : Miscellaneous Criminal Case No. 54184 Of 2022

Lakhan Singh @ Lakkha

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 21-11-2022

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439
Madhya Pradesh Excise Act, 1915 — Section 34(2)

Citation : (2022) 11 MP CK 0076

Hon'ble Judges : Rajeev Kumar Shrivastava, J

Bench : Single Bench

Advocate : Arvind Kumar Dwivedi, Ramadhar Choubey

Final Decision : Disposed Of

Judgement

Rajeev Kumar Shrivastava, J

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

Applicant has been arrested on 09/11/2022 by Police Station Sirol, District Gwalior (M.P.) in connection with Crime No.35/2022 registered for offence under Section 34(2) of Excise Act.

It is submitted by learned counsel for the applicant- Lakhan Singh @ Lakkha that the applicant has not committed any offence. He has falsely been implicated in this case. Applicant is innocent and he is not involved in the alleged crime. Learned counsel for the applicant further submits that other co- accused persons have already been granted bail by this Court. Trial will take its own time. Applicant is ready and willing to abide by any condition which may be imposed by this Court. Hence, considering the aforesaid facts, learned counsel prays for grant of bail to the present applicant.

Per contra, learned State counsel vehemently opposed the submissions and

prayed to reject this application filed for grant of bail to the applicant.

Heard learned counsel for the parties at length and perused the case diary.

Considering the arguments advanced by learned counsel for the parties along with facts and circumstances of the case and the fact that other co-accused persons have already been granted bail by this Court, without commenting upon the merits of the case, the application is allowed and it is hereby directed that the applicant shall be released on bail on his furnishing personal bond of Rs.1,00,000/- (Rupees One Lakh only) with one solvent surety in the like amount to the satisfaction of the Court concerned for his regular appearance before the trial Court concerned on the dates fixed by it.

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

1. The applicant will comply with all the terms and conditions of the bond executed by his;
2. The applicant will cooperate in the investigation/trial, as the case may be;
3. The applicant will not indulge himself in extending inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to the Police Officer, as the case may be;
4. The applicant shall not commit any kind of offence. In case of commission of any kind of offence, this bail order shall automatically stand cancelled;
- 5 . The applicant will not move in the vicinity of complainant party and applicant will not seek unnecessary adjournments during the trial; and
6. The applicant will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be.

Application stands disposed of in above terms.

Let a copy of this order be sent to the trial Court concerned for compliance.

Certified copy/ e-copy as per rules/direction.