
(2020) 11 MP CK 0131

In the Madhya Pradesh High Court

Case No : Miscellaneous Criminal Case No. 43283 Of 2020

Narenddra Singh Lodhi

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 25-11-2020

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439

Indian Penal Code, 1860 — Section 420

Madhya Pradesh Excise Act, 1915 — Section 34(2), 42

Citation : (2020) 11 MP CK 0131

Hon'ble Judges : Vijay Kumar Shukla, J

Bench : Single Bench

Advocate : Sharad Verma, Shivam Hazare

Final Decision : Disposed Of

Judgement

Vijay Kumar Shukla, J

On account of prevailing conditions worldwide brought about by the COVID-19 virus, the bail application has been heard through video conferencing

in order to maintain social distancing. The necessary parties have effectively been represented by their respective counsel via video conferencing.

Heard.

This is first application under Section 439 of the Cr.P.C. filed on behalf of the applicant in connection with Crime No.483/2020 registered at Police

Station- Madhotal, District Jabalpur (M.P.) under Section 420 of the IPC & Section 34(2) and 42 of the M.P. Excise Act, 1915.

It is alleged that the applicant has been made accused on the memorandum of co-accused.

Learned counsel for the State submits that the allegation against the applicant is

that he is the Manager of the shop and the dispatch numbers of the liquor tallies.

Learned counsel for the applicant submits that charge-sheet has already been filed. The offence is triable by Magistrate and the applicant is in jail

since 10.10.2020 and there is no criminal record against the applicant except one case.

Considering the fact that there is no criminal record against the applicant except one case, the offence is triable by Magistrate, charge-sheet has

already been filed and that the applicant is in jail since 10.10.2020, I am of the view that the applicant is entitled for bail. Accordingly, the application is allowed.

It is directed that Applicant- Narendra Singh Lodhi shall be released from custody upon furnishing a personal bond of Rs.50,000/- (Rupees Fifty

Thousand Only) with one surety of the like amount to the satisfaction of the Court below.

The prison authorities are also requested to ensure compliance with the order passed by the Supreme Court in Writ Petition No. 1/2020 and ensure,

that the applicant is examined by the jail doctor before his release. If the Applicant show symptoms of COVID-19, the doctor shall forthwith direct

him to be produced before the appropriate hospital designated for the detection and treatment of COVID-19 patients. If the doctor is of the opinion

that the Applicant is not affected with the virus, the jail authorities shall ensure his transportation from the jail till his place of residence. With the above

the application is finally disposed of.

Â It is further made clear that if it is found that the applicant is involved in any other case during the trial, this bail order shall stand cancelled

automatically without reference to the Court and the Police will be at liberty to arrest the applicant.

A typed copy of this order is being forwarded to the Office of the Advocate General and Shri Shivam Hazare, learned Panel Lawyer, on their email

address, for intimation to the Police Station concerned.

The office is requested to forward a copy of this order to the Court below.

Certified copy as per rules.