

(2020) 12 MP CK 0197

In the Madhya Pradesh High Court

Case No : Miscellaneous Criminal Case No.50928 Of 2020

?Ramnivas Yadav And Others

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 22-12-2020

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 437(3), 439
Indian Penal Code, 1860 — Section 34, 308, 323, 324, 326

Citation : (2020) 12 MP CK 0197

Hon'ble Judges : Anjuli Palo, J

Bench : Single Bench

Advocate : Deepak Pendharkar, Shweta Yadav

Final Decision : Allowed

Judgement

Anjuli Palo, J

This is first application under section 439 of the Code of Criminal

Procedure on behalf of the applicants who have been arrested in connection with Crime No.209/2020 registered at Police Station Tala, District Satna

for offences under sections 323, 324/34, 326, 308 of I.P.C. for having caused injuries to Ramvishwas on the intervening night of 07.10.2020 and 08.10.2020.

Learned counsel for the applicants submitted that applicants are innocent and have been falsely implicated in the crime in question. He further

submitted that applicants are in custody since 11.11.2020. There is no previous animosity between the parties. Due to Covid-19 pandemic era the trial

would take considerable time. Therefore, prayer has been made to release the applicants on bail.

Learned Panel Lawyer for the respondent/State has opposed the prayer for bail.

Considering the facts and circumstances of the case, taking into account that incident occurred without any motive and there is no previous animosity

between the parties and without commenting on merits of the case, the application is allowed. It is directed that applicants-Ramnivas Yadav and

Ramashray @ Bhole Yadav be released on bail on their furnishing bail bond of Rs.40,000/- [Rupees Forty Thousand only] each with 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 the said Court during

trial.

It is made clear that the applicants shall comply with the provisions of section 437(3) of Cr.P.C. during trial.

Accordingly, M.Cr.C. is allowed.