
(2021) 03 MP CK 0093

In the Madhya Pradesh High Court

Case No : Miscellaneous Petition No. 14244 Of 2021

Rekha Bai And Others

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 17-03-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 437(3), 439
Indian Penal Code, 1860 — Section 34, 420, 467, 468
Essential Commodities Act, 1955 — Section 3, 7

Citation : (2021) 03 MP CK 0093

Hon'ble Judges : Mohd. Fahim Anwar, J

Bench : Single Bench

Advocate : Shahin Fatima, Vinay Sharma

Final Decision : Allowed

Judgement

Mohd. Fahim Anwar, J

This is first application filed under Section 439 of Cr.P.C. for grant of bail to the applicants, as they have been arrested in connection with Crime No.826/2020 registered at Police Station City Kotwali, District Narsinghpur (MP), for the offences punishable under Sections 420, 467, 468/34 of the IPC and Sections 3, 7 of Essential Commodities Act.

The case of the prosecution is that on the information of the informer, the Fair Price Shop namely Rewa Saw Sahayata Samuh situated at Imalia under the jurisdiction of Police Station City Kotwali, District Narsinghpur was searched by the Junior Food Inspector on 07/10/2020 and it was found that about 160 liter kerosene valued about Rs.9600/- and other food grains valued about Rs.1,17,945/-, total amount of Rs.1,27,545/- was misappropriate and false entries were made in the concerning register. On that basis, aforesaid crime has been register against the applicants namely Rekha Bai, President and Krishna Bai, Secretary of the shop.

Learned counsel for the applicants has submitted that the applicants are ladies aged about 24 and 25 years. They have been falsely implicated in the present offence. The applicants are ready to furnish bail as per the order and shall abide by all conditions as may be imposed by the Court. He further submits that the applicants are in judicial custody since 22/12/2020 and the trial will take time for its final disposal. On these grounds, learned counsel for the applicant prays for grant of bail to the applicant.

Learned counsel for the respondent/State has opposed the bail application.

Considering the facts and circumstances of the case, particularly the arguments advanced by learned counsel for the applicants, also the fact that the applicants are ladies who are in judicial custody since 22/12/2020, I am of the considered view that it is a fit case to enlarge the applicants on bail. Accordingly, this application is allowed.

It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.30,000/- (Rupees thirty thousand only) each with one solvent surety each of the like amount to the satisfaction of the committal/trial Court, to appear before the court on the dates given by the concerned Court. It is directed that applicants shall comply with the provisions of Section 437(3) Cr.P.C.

In view of the outbreak of 'Corona Virus disease (COVID-19)' the concerned jail authorities are directed to follow the directions/guidelines issued by the Government of India with regard to COVID-19 before releasing the applicants.

This M.Cr.C. stands allowed and disposed of.

C.C., as per rules.