IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE VISHAL DHAGAT

ON THE 16th OF JANUARY, 2024

MISC. CRIMINAL CASE No. 49277 of 2023

BETWEEN:-

1. **SATYAM TIWARI S/O SHRI BHOLANATH TIWARI, AGED ABOUT 21 YEARS, RESIDENT OF LALGANJ AJHARA NAYAPURA P.S. LALGANJ DISTRICT PRATAPGARH (UTTAR PRADESH)**

2. **RAVINDRA KUMAR S/O SHRI RAM NARYAN VERMA, AGED ABOUT 24 YEARS, R/O KALYANPUR BASKHARI, PS.S. ANTU, DISTRICT PRATAPGARH (UTTAR PRADESH)**

3. **RAGHWENDRA SINGH S/O SHRI RAJKUMAR SINGH, AGED ABOUT 26 YEARS, R/O GRAM CHAUSA, P.S. KUNDA, DISTRICT PRATAPGARH (UTTAR PRADESH)**

.....APPLICANT

(BY SHRI GHANSHYAM PANDEY - ADVOCATE)

AND

THE STATE OF MADHYA PRADESH THROUGH CANTONMENT SAGAR DISTRICT SAGAR (MADHYA PRADESH)

.....RESPONDENTS

(BY SHRI AJEET RAWAT - GOVT. ADVOCATE)

This application coming on for admission this day, the court passed the following:

ORDER

This is the ***second*** application filed by the applicants under Section

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439 of the Code of Criminal Procedure for grant of regular bail relating to FIR No.493/2023 registered at Police Station Cantonment Sagar District-Sagar (M.P.) for the offence under Sections 380, 511, 420 of the IPC.

2 . Learned counsel appearing for the applicants submitted that offence is punishable upto seven years of imprisonment. Earlier bail application was dismissed granting liberty to applicants to file repeat bail application after filing of charge-sheet. It is submitted that charge-sheet has been filed and investigation is complete and allegations made against applicants are not serious in nature. It is also submitted that applicants are innocent and have falsely been implicated in the case. Hence, they may be granted bail.

3. Learned Government Advocate appearing for the State opposed the bail application and submitted that applicants are having criminal antecedents.

4. Heard the counsel for the parties.

5. Offence is punishable upto seven years of imprisonment and applicants are in jail since 08.07.2023. Investigation in the case is complete and charge-sheet has also been filed.

6 . Considering aforesaid circumstances of the case, without commenting on merits of the case, bail application filed by applicants is ***allowed*** on following conditions:-

(i) Applicants will mark their presence on first of every month before local police station.

(ii) If applicants are found to be involved in any other offence

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in future, then prosecution will be at liberty to file an application for cancellation of bail granted to them today.

7. It is directed that applicants be released on bail on aforesaid condition on furnishing personal bond of ***Rs.50,000/-(Rs. fifty thousand only) each with one solvent surety*** in the like amount to the satisfaction of the trial court for their regular appearance before concerned Court on all such dates as may be fixed in this regard during pendency of trial.

8. The applicants shall also abide by the following conditions of Section 437 (3) of Cr. P. C. as under:-

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter;

(b) that such person shall not commit any offence similar to the offence of which he is accused, or suspected of the commission of which he is suspected and;

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

C.C. as per rules.

(VISHAL DHAGAT)
JUDGE

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