

Ashok Sharma Vs. the State of Madhya Pradesh

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Court : Madhya Pradesh

Decided On : Apr-01-2013

Appellant : Ashok Sharma

Respondent : The State of Madhya Pradesh

Advocate for Pet/Ap. : Shri. Arvind Sharma

Judgement :

M.Cr.C.No.2350/2013 1.4.2013 Shri Arvind Sharma , counsel for applicants.

Shri R.K.Kesharwani, PL , for the State.

Heard.

This is the fiRs.bail application filed under Section 438 of the Cr.P.C.for grant of anticipatory bail to applicants.

The applicants apprehend their arrest in connection with Crime No.233/2012 registered at Police Station Nohta District Damoh for the offence punishable under Section 363, 366(ka)/34 of IPC.

Learned counsel for the applicants submits that applicants have been falsely implicated in the case.

They have no criminal past.

They are ready to co-operate during investigation.

The applicants are father and mother of the co-accused Sanjay, who got marriage with the prosecutrix Guddi.

Since the father of the prosecutrix was not agree with the aforesaid marriage, he falsely implicated these applicants.

Prosecutrix is more than 16 years of age.

In support of the contention, he filed a certificate from the Government School, Hatri District Damoh.

Nothing is required to be seized from the possession of the applicants.

Applicants are reputed persons of the society and in the event of arrest, their reputation would be tarnished., therefore they prays for grant of anticipatory bail.

Learned counsel for the State opposes the application for grant of anticipatory bail.

On due consideration of the contention raised on behalf of the parties alongwith facts and circumstances of the case, without expressing any opinion on the merits of the case, I am of the view that it is fit case for grant of anticipatory bail.

The application is allowed.

It is directed that in the event of arrest, the applicants shall be released on anticipatory bail on their each furnishing a personal bond in the sum of Rs.30,000/- (Rupees thirty thousand) with a solvent surety in the like sum to the satisfaction of Arresting Officer subject to compliance of terms and conditions as enumerated in Section 438(2) of Cr.P.C.It is further directed that applicants shall join the investigation and fully co-operate with the Investigating Agency.

This order shall remain in force for a period of 60 days.

During this period, if the applicants so desire, may move an application for regular bail before the competent Court, which shall be considered by that Court in accordance with law.

C.C.as per rules.

(G.S.Solanki) JUDGE ravi

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