

Ramnath Vs. the State of Madhya Pradesh

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Court : Madhya Pradesh

Decided On : Feb-26-2013

Appellant : Ramnath

Respondent : The State of Madhya Pradesh

Advocate for Pet/Ap. : Shri. Raman Patel

Judgement :

M.Cr.C. No.2523/2013 26.2.2013 Shri Raman Patel, counsel for the applicant.

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

With the consent of the parties, heard finally.

This is an application under Section 438 of Cr.P.C for grant of anticipatory bail.

Applicant apprehends his arrest in connection with Crime No.28/2013 registered at Police Station, Civil Lines District Chhatarpur for offence punishable under Sections 409 & 420 of IPC.

Learned counsel for the applicant submitted that the applicant has been falsely implicated in the case. He has no criminal past. Learned counsel further submitted applicant is retired clerk.

It is alleged against him that instead of Rs.22,000/ he only deposited only Rs. 2,000/ in the account of Income Tax Department. He is ready to deposit a sum of

Rs. 20,000/ under protest. The applicant is a reputed person of the society and in the event of arrest, his reputation would be tarnished, therefore, he prays for grant of anticipatory bail to the applicant. Learned counsel for the State has objected the prayer for grant of anticipatory bail to the applicant.

Considering the contentions raised on behalf of the parties along with facts and circumstances of the case, without expressing any opinion on the merits of the case, I am of the view that present is a fit case for grant of anticipatory bail. The application is allowed.

It is directed that in the event of arrest, the applicant shall be enlarged on bail subject to furnishing a receipt evidencing deposit of Rs. 20,000/ before the Chief Judicial Magistrate, Chhatarpur and further on his furnishing a personal bond in the sum of Rs. 25,000/ (Rs. Twenty Five Thousand only) with a surety bond in the like amount to the satisfaction of Arresting Officer.

The applicant shall abide by the conditions enumerated in subSection (2) of Section 438 Cr.P.C. This order shall remain in force for a period of 60 days. During this period, if the applicant so desires, 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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