

Devendra Kumar Patel Vs. the State of Madhya Pradesh

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Court : Madhya Pradesh

Decided On : Mar-20-2013

Appellant : Devendra Kumar Patel

Respondent : The State of Madhya Pradesh

Advocate for Pet/Ap. : Shri. O.P.Agnihotri

Judgement :

M.Cr.C.No.1786/2013 20.3.2013 Shri O.P.Agnihotri, counsel for the applicants.

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

At the outset, learned counsel for the applicants prays for withdrawal of the application of applicant No.1, Devendra Kumar Patel S/o Ramdas Patel.

Prayer is allowed.

The application of applicant No.1, Devendara Kumar Patel is dismissed as withdrawn.

Heard.

This is an application under Section 439 of Cr.P.C.for grant of bail to applicant No.2, Munna alias Shyam Sunder Lodhi.

The applicant no.2 is in custody since 26.8.2012 in connection with Crime No.190/2012 registered at Police Station G.R.P.(Railway Police).Katni for offence punishable under Sections 302, 201, 120-B/34 of IPC.

Learned counsel for the applicants submits that applicant No.2 has been falsely implicated in this case.

Learned counsel further submits that there is no directed evidence against him in regard to commit murder of Dippu Singh.

As per prosecution, nothing is seized from the possession of this applicant.

The material belongs to the deceased is said to have been seized from the possession of co-accused Devendara Kumar Patel.

Charge sheet has already been filed and trial would take considerable time for its conclusion, therefore, prays for grant of bail to applicant No.2.

Learned counsel for the State opposes the prayer.

On due consideration of the contentions raised by the counsel for 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 it is a fit case for grant of bail to the applicant No.1.

The application is allowed.

It is directed that applicant No.2 Munna alias Shyam Sunder Lodhi shall be released on bail on his furnishing a personal bond in the sum of Rs.30,000/- (Rupees thirty thousand) with a solvent surety in the like amount to the satisfaction of the Committal Court/Trial Court concerned, for his appearance before the said Court and on all such other dates as given in this regard by the said Court during trial.

C.C.as per rules.

(G.S.Solanki) ravi JUDGE

