

Neelesh Vs. the State of Madhya Pradesh

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Court : Madhya Pradesh

Decided On : Mar-20-2013

Appellant : Neelesh

Respondent : The State of Madhya Pradesh

Judgement :

M.Cr.C.No.1932/2013 M.Cr.C.No.1933/2013 20/03/2013 Shri Pranay Verma,
Advocate for the applicants.

Shri Alok Vagrecha, Advocate for the Objector.

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

Heard finally.

As these applications are arising out of the same crime number therefore, they are being decided by this common order.

These are the fiRs.applications filed by applicants under Section 438 of the Cr.P.C for grant of anticipatory bail.

The applicants are apprehending their arrest in connection with Crime No.16/13, registered at police station Khurai, District Sagar for the offence punishable under section 3 (1) (10) of the SC/ST (Prevention of Atrocities) Act.

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

It is further submitted that applicants Neelesh, Jeetu Loki and Jitendra are by caste Ahirwar and they belongs to Scheduled Tribes therefore, no case is made out against them u/s 3 (1) (10) of the SC/ST (Prevention of Atrocities) Act.

It is submitted that initially the complainant did not identify any accused thereafter, some witnesses informed her that present applicants were the persons who humiliated her.

Nothing is required to be seized from their possession and they are ready to co-operate in further investigation.

Applicants are reputed persons of the society and there is no possibility of their absconding.

In the event of arrest their reputation will be tarnished therefore, he prays for grant of anticipatory bail to the applicants.

Learned counsel for the Objector as well as State oppose the applications.

Considering the overall facts and circumstances of the case, I am of the view that it is not a fit case to release the applicant Vikki Sindhi on anticipatory bail.

The application (M.Cr.C.No.1933/2013) in respect of applicant Vikki Sindi is hereby dismissed.

As far as the application of applicants in M.Cr.C.No.1932/2013 are concerned, it is a fit case to release them on anticipatory bail.

Therefore, without commenting on the merits of the case, their application is allowed and it is directed that in the event of arrest, applicants Neelesh, Jeetu Loki and Jitendra shall be enlarged on bail in connection with the crime No.16/13 registered u/s 147, 294, 506, 452 of IPC read with section 3 (1) (10) of the SC/ ST (Prevention of Atrocities) Act on their furnishing a personal bond in the sum of Rs.25,000/- (Rs.Twenty Five Thousand Only) each with a surety bond in the like

amount to the satisfaction of Arresting officer.

Applicants are directed to join the investigation and fully cooperate with the Investigating Agency.

It is further directed that all three applicants shall abide by the conditions enumerated in Section 438 (2) of the Cr.P.C. This order shall remain in force for a period of 60 days.

In the meantime, the applicants if so desire, may apply 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 navin

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