

Devilal Vs. the State of Madhya Pradesh

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Court : Madhya Pradesh

Decided On : Mar-26-2013

Appellant : Devilal

Respondent : The State of Madhya Pradesh

Judgement :

M.Cr.C.No.2850/2013 26.3.2013 Shri M.K.Tripathi, counsel for the applicant.

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

Heard on IA No.7291/2013, an application for urgent hearing.

Considering the averment, application is allowed.

This is an application under Section 439 of Cr.P.C.The applicant is in custody since 7.2.2013 in connection with Crime No.14/2013 or 17/2013 registered at Police Station Rahatgaon, District Harda for offence punishable under Sections 363, 366,376 of IPC.

Learned counsel for the applicant submits that the applicant has been falsely implicated in this case.

Prosecutrix is more than 18 years of age.

Prosecutrix herself had gone with the present applicant on her free will and lived with him for about seven days but no complaint in regard to commit rape has been

made to anyone.

Thereafter, when she returned to her parental home, she lodged a false and concocted report against the applicant.

The applicant is in jail and trial would take considerable time for its conclusion, therefore, prays for grant of bail to applicant.

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.

The application is allowed.

It is directed that applicant 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

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