

Deepak Agarwal Vs. the State of Madhya Pradesh

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Court : Madhya Pradesh

Decided On : Jul-30-2012

Appellant : Deepak Agarwal

Respondent : The State of Madhya Pradesh

Judgement :

M.Cr.C.No.6399/2012 30.7.2012 Shri Manish Datt, Sr.Counsel with Shri Pushpendra Dubey for the applicants.

Shri Chandrakant Mishra, GA for the State.

This is the fiRs.bail application filed by the applicants under Section 439 of the Cr.P.C.for grant of bail.

The applicants are in custody since 22.2.2012 in connection with Crime No.15/2012 registered at P.S.Shahganj, District Sehore for the offence punishable under sections 302, 147, 148, 149, 459, 323 of the IPC.

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

The incident took place on the spur of the moment.

A counter case has also been registered against the complainant party under sections 452, 147, 148, 294, 323, 506-II of the IPC.

The injured persons have not stated the names of applicants Sarvesh, Deepak and Satyam.

The applicants are in custody and trial would take considerable time to conclude, therefore, they be released on bail.

Learned counsel for State has opposed the application and submitted that witness Komal stated the names of the accused persons.

She stated that deceased Daulat told her that Shyam, Krishna and Manot assaulted him, therefore, this application is liable to be dismissed.

Considering the overall facts and circumstances of the case and the fact that injured persons have not stated the names of the applicants as well as as per the statement of Komal Co. accused Shyam, Krishna and Manot assaulted the deceased, I am of the considered view that it is a fit case to release the applicants on bail, therefore, without commenting on the merits of the case, this application is allowed and it is directed that applicants shall be released on bail on their furnishing a personal bond in a sum of Rs.35,000/- (Rs.Thirty Five Thousand only) each with one surety in the like amount to the satisfaction of the committal Court/ trial Court for securing their presence before the said Court on all the dates of hearing fixed in this regard during trial.

Certified copy as per rules.

(G.S.Solanki) Judge PB

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