

Danish Daniel Vs. the State of Madhya Pradesh

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Court : Madhya Pradesh

Decided On : Mar-21-2013

Appellant : Danish Daniel

Respondent : The State of Madhya Pradesh

Advocate for Pet/Ap. : Shri. B.J. Chourasiya

Judgement :

M.Cr.C. No.2644/2013 21.3.13 Shri B.J. Chourasiya , counsel for the applicant.

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

Heard.

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.53/2013 registered at Police Station Kotwali, District Chhatarpur for offence punishable under Sections 452, 323, 294, 506B, 34 of IPC.

Learned counsel for the applicant submitted that the applicant has been falsely implicated in the case. He is ready to cooperate in the investigation. As per prosecution itself, it is alleged against the applicant that he trespass the house of the complainant after having a Danda in his hand.

In these circumstances, no case under Section 452 of IPC is made out against the applicant. All other offences are bailable and triable by Magistrate. He is 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 released on anticipatory bail on furnishing a personal bond in the sum of Rs.25,000/- (Rupees twenty five thousand) with a solvent surety in the like sum to the satisfaction of Arresting Officer subject to compliance of terms and conditions as enumerated in Section 438(2) of Cr.P.C.It is further directed that applicant shall join the investigation and fully co-operate with the Investigating Agency.

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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