

Ajay Vs. the State of Madhya Pradesh

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Court : Madhya Pradesh

Decided On : Apr-16-2013

Appellant : Ajay

Respondent : The State of Madhya Pradesh

Judgement :

M.Cr.C.No.3121/2013 16/04/2013 Shri Anuj Singh, Advocate for the applicant.

Shri Vivek Lakhera, PL for the respondent/State.

Heard finally.

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

Applicant has been arrested on 5/11/12 in connection with Crime No.771/12 registered at P.S.Kotwali, District Sehore for the offence punishable under sections 294, 306 of IPC.

As per prosecution, it is alleged that this applicant and his mother quarreled with deceased Rakhi with regard to blockage in the drain therefore, she committed suicide by setting herself on fire.

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

It is further submitted that Rakhi was upset and she committed suicide due to depression therefore, no ingredient u/s 107 of IPC is found in this case.

The similarly placed co-accused Smt.

Kamla Bai has already been released on bail by this Court vide order dated 5/02/2013 passed in M.Cr.C.No.856/2013 and case of this applicant is just similar to him.

Trial would take considerable time to be disposed of finally therefore, he prays for bail to the applicant.

Learned counsel for the State opposes the application.

Considering the overall facts and circumstances of the case alongwith the nature of allegation made against this applicant, I am of the considered view that it is a fit case to release him on bail.

Therefore, without commenting on the merit of the case, this application is allowed and it is directed that applicant Ajay be released on bail on his furnishing a personal bond in a sum of Rs.25,000/- (Rs.Twenty Five Thousand only) with one surety in the like amount to the satisfaction of Committal Court/trial Court, for securing his 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 navin

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