

24.6.2014

Shri S.K. Patel, Advocate for the applicant.

Shri R.P. Tiwari, Public Prosecutor for the State.

Heard finally.

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

The applicant is in custody since 8.5.2013 in connection with Crime No. 150/2014 registered at P.S. Bichhiya, District Mandla for the offence punishable under sections 294, 304-A, 304 of the IPC.

Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. As per prosecution itself, the applicant was driving the vehicle negligently thereby he along with other injured persons met with an accident wherein Sugatibai, Somtibai and Tikiyabai were died on the spot. It is further submitted that applicant himself sustained injuries, in these circumstances, no case is made out under Section 304 of IPC against him. Charge sheet has already been filed. The applicant is in custody and trial would take considerable time to conclude, therefore, he be released on bail.

Learned counsel for State has opposed the application.

On due consideration of the contention raised by the learned counsel for the parties and overall facts and circumstances of the case, I am of the considered view that it is a fit case to release the applicant on bail, therefore, without expressing any view on the merits of the case, the application is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in a sum of Rs. 30,000/- (Rs. Thirty Thousand only) with one surety in the like amount to the satisfaction of the 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

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