

M.Cr.C.No.6570/2015

05.08.2015

Shri Gulab Sharma, learned counsel for the applicants.

Shri M.A.Mansoori, learned Govt. Advocate for the non-applicant/State.

Heard with the aid of the case-diary.

ORDER

This is an application under Section 438 of the Code of Criminal Procedure. The applicant is seeking anticipatory bail in connection with Crime No.158/2015 for the offence punishable under Section 3/7 Essential Commodity Act registered at Police Station Meghnagar, District Jhabua.

Learned Counsel for the applicants submits that the applicants are permanent resident of District Jhabua. They have no criminal antecedents. At the time of seizure the applicants were not present. After six months of the incident the case has been registered. The offence for which they are apprehending

their arrest for which maximum punishment is provided 7 years. The applicants are ready to co-operate with the investigation. In such circumstances, the applicants be granted anticipatory bail.

On the other hand, learned Govt. Advocate for the non-applicant/State vehemently opposes the prayer. He submits that the custodial interrogation is necessary, therefore, he prays for dismissal of the application.

Considering over all circumstances of the case, I am of the considered view that this is a fit case for granting anticipatory bail. Accordingly, the application is allowed. It is directed that in the event of arrest applicants shall be released on bail on furnishing a personal bond in the sum of **Rs.50,000.00** (Rupees Fifty Thousand) each with **one solvent surety** each in the like amount to the satisfaction of the arresting officer for their appearance in investigation as and when directed and required. Facility of this bail shall remain available to the applicant during trial with the condition that when the final report shall be filed, the applicant would furnish fresh bail bond

as per this order. Applicants shall ensure that they would not commit any such offence during currency of bail and rest of the conditions stipulated under Section 438 (2) of the Code of Criminal Procedure shall be binding on them.

It is made clear that if the applicants will breach any of the condition, then this order shall automatically stand cancelled without reference to this Court and the concerning Court shall be free to take appropriate action to secure the presence of the applicants.

Certified copy as per rules.

(JARAT KUMAR JAIN)
JUDGE

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