

COPY OF ORDER SHEET RECORDED IN M.C.R.C.NO.4660 OF 93
PENDING IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR.

BETWEEN

Achay Kumar Singh, son of Vikram Singh,
resident of Camp No.1, Bilal, District
Durg.

AND

The State of Madhya Pradesh.

PETITION FOR BAIL UNDER SECTION 439 OF THE CODE OF
CRIMINAL PROCEDURE.

Sessions Trial No.233 of 1992. For offences under
Sections 120-B, 302 and 302/34 I.P.C. in the Court of
Sri J.K.S. Rajput, Second Additional Sessions Judge, Durg.

24.6.94

ORDER IN ORDER SHEET

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Shri Rajendra Singh, Senior Advocate,
is present for the petitioner.

Respondent by Shri Saxena,
counsel for the C.B.I.

Arguments heard.

The submission is that after rejection of the previous petition for bail on 29-4-93 one substantial change in circumstances is that two of the absconding accused persons, whose absconding was considered one of the important factors for refusing bail and are facing trial. Other allegations against the applicant are almost similar to those which were against co-accused Awdhesh Kumar Rai who has already been released on bail. The applicant is in custody since 17-11-1991. The trial is to commence on 8th of August and in view of the large number of witnesses the same is likely to take considerable time. The allegation against the applicant that he deposited two countrymade pistols with Iqbal Ahmad soon after the murder of Niyogi has given rise to another case under

from whom they were earlier taken.

On due consideration of the aforesaid rival contentions, I am of view that there has been a substantial change in the circumstances of the case since 29-4-1993 with the apprehension of absconding accused persons. Considering the fact that co-accused Awdhesh Kumar Rai has already been released the present petitioner is also ordered to be released on furnishing personal bond in a sum of Rs. 15,000/- (Rupees fifteen thousand only) with the surety in the like amount to the satisfaction of J.M.Durg. C.C. on payment.

Handwritten signature
Judge

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Bhood Gupta
High Court of Madhya Pradesh
JABALPUR.

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