HIGH COURT OF MADHYA PRADESH

M.Cr.C. No. 44340/2020

(PRAJJAWAL PANDEY Vs THE STATE OF MADHYA PRADESH)

PRESENT : HON.SMT.NANDITA DUBEY,J.**(THROUGH VIDEO CONFERENCING)**

Jabalpur : Dated 15.12.2020

Shri B.K. Shukla, learned counsel for the applicant.

Shri Sheetal Tiwari, learned Panel Lawyer for the respondent/State.

Heard.

This is the first bail application filed by the applicant under Section 438 of Cr.P.C. for grant of anticipatory bail.

The applicant apprehends his arrest in connection with Crime No.178/2020 registered at P.S. University, District Rewa, M.P. for the offences punishable under Sections 307, 34 of IPC and Section 25/27 of Arms Act.

As per prosecution, a complaint was lodged by Shivam Singh Gaharwar in the Police Station that four boys on two motorcycles came and fired a shot at him.

The contention of learned counsel for the applicant that the present applicant was not involved in the said incident. He has filed an affidavit of the complainant himself in this regard. It is submitted that the applicant has been named on the basis of the memorandum of the co-accused involved in the said incident.

On the last date of hearing, learned counsel for the State was directed to verify the affidavit filed by the applicant. It is submitted that the complainant has accepted that he has given the said affidavit and the present applicant was not involved in the said incident.

Considering the aforesaid, this application is allowed. It is directed that in the event of arrest, applicant **Prajjawal**

Pandey shall be released on bail on his furnishing a personal bond in a sum of **Rs. 50,000/- (Rs. Fifty Thousand only)** with one surety in the like amount to the satisfaction of arresting officer.

This order will remain operative subject to compliance of the following conditions by the applicant :-

1. The applicant will comply with all the terms and conditions of the bond executed by him:
2. The applicant will cooperate in the investigation/trial, as the case may be;
3. The applicant will not indulge himself in extending inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to the Police Officer, as the case may be;
4. The applicant will not seek unnecessary adjournments during the trial; and
5. The applicant will not leave India without previous permission of the trial Court/ Investigating Officer, as the case may be.
6. If the applicant commits any offence while being on anticipatory bail, then this order shall automatically stand cancelled without reference to the Court.

A typed copy of this order be forwarded by the Registry to the Office of the Advocate General and to Mr. Sheetal Tiwari, learned Panel Lawyer, on their respective e-mail adresses, for intimation to the police station concerned.

Certified copy/e-copy as per rules/directions.

(Nandita Dubey)
Judge

Digitally signed by BHARTI GADGE
Date: 2020.12.15 16:47:31 +05'30'