IN THE HIGH COURT OF MADHYA PRADESH AT GWALIOR

BEFORE

HON'BLE SMT. JUSTICE SUNITA YADAV

ON THE 25th OF JANUARY, 2024

MISC. CRIMINAL CASE No. 955 of 2024

BETWEEN:-

RAVI S/O SHRI MANIRAM JATAV, AGED ABOUT 22 YEARS, OCCUPATION: LABOUR GRAM RANG KA PURA (BARHI) POLICE THANA PHOOPH DISTRICT BHIND M.P. (MADHYA PRADESH)

.....APPLICANT

(BY MR. VIDYA SAGAR CHATURVEDI - ADVOCATE)

AND

THE STATE OF MADHYA PRADESH INCHARGE POLICE STATION THROUGH POLICE STATION PHOOPH DISTRICT BHIND (MADHYA PRADESH)

.....RESPONDENT

(BY MR. ROHIT MISHRA - A.A.G.)

This application coming on for admission this day, the court passed the following:

ORDER

This is the first application filed by the applicant under Section 439 of the Cr.P.C. for grant of bail relating to FIR No.243 of 2022 registered at Police Station Phooph, District Bhind (M.P.) for the offence under Sections 324, 323, 294, 506 (part-II) and later added Sections 326 and 325 of IPC.

Learned counsel for the applicant argued that the applicant is innocent and has been falsely implicated. Earlier he was granted bail, however, after trial Court took cognizance under Sections 326 and 325 of IPC, he got arrested. It is further argued that as per prosecution story, present applicant - accused

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inflicted injury on Vishnu, however, he has not suffered any grievous injury. Further argument is that applicant is in custody since 22.12.2023. After conclusion of investigation, charge-sheet has already been filed, therefore, there is no requirement of further custodial interrogation of the applicant. He is the permanent resident of District Bhind (M.P.) having no criminal antecedents and there is no possibility of his absconsion or tampering with the prosecution evidence. On these grounds, he prays for grant of bail to the applicant.

On the other hand, learned State counsel opposed the application and prayed for its rejection.

Heard learned counsel for the rival parties and perused the case diary available on record.

Considering the facts and circumstances of the case, but without expressing any opinion on merits of the case, this application is allowed and it is directed that the applicant be released on bail on furnishing a personal bond in the sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with one solvent surety in the like amount to the satisfaction of the trial Court/Committal Court.

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/her;

2) The applicant will cooperate in the investigation/trial, as the case may be;

3) The applicant will not indulge himself/herself in extending inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to the Police

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Officer, as the case may be;

4) The applicant shall not commit any offence during pendency of the trial, failing which, this bail order shall stand cancelled automatically without further reference to the Bench;

5) The applicant will not seek unnecessary adjournments during the trial;

6) The applicant will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be.

Learned State counsel is directed to send an e-copy of this order to the Station House Officer of the concerned Police Station for information and necessary action.

E- copy of this order be sent to the trial Court concerned for compliance, if possible, by the office of this Court.

Certified copy as per rules.

(SUNITA YADAV)
JUDGE

AKS

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