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**IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR**

**BEFORE
HON'BLE SMT. JUSTICE SUNITA YADAV
ON THE 11th OF JANUARY, 2024**

MISC. CRIMINAL CASE No. 1034 of 2024

BETWEEN:-

**AMAN AHMED S/O SHRI JAILI AHMED, AGED ABOUT 23
YEARS, OCCUPATION: REAL ESTATE INDUSTRIALIST,
R/O SUBHASH COLONY JHALAWAR TEHSIL
JHALRAPATAN DISTRICT JHALAWAR RAJASTHAN
(RAJASTHAN)**

.....APPLICANT

(BY MR. PALLAV AWASTHI - ADVOCATE)

AND

**THE STATE OF MADHYA PRADESH THROUGH POLICE
STATION THROUGH BASAUDA DEHAT DISTRICT
VIDISHA (MADHYA PRADESH)**

.....RESPONDENTS

(BY MR. DINESH SAVITA - PANEL LAWYER)

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

ORDER

This is **first** application filed by the applicant under Section 438 of the Cr.P.C. for grant of anticipatory bail relating to Crime No. 842 of 2023 registered at Police Station Basoda Dehat, District Vidisha (M.P.) for the offence under Sections 354 and 506(2) of IPC.

Learned counsel for the applicant argued that the applicant is innocent and has been falsely implicated which is evident from the fact that allegedly the incident occurred on 15.03.2023 and prosecutrix informed her family members about the incident, but no FIR has been lodged for almost seven months, for

which, no plausible explanation has been given. As per statement of prosecutrix, the applicant threatened the prosecutrix on 18.11.2023, however, FIR has been lodged after delay of almost 11 days i.e. on 29.11.2023 for alleged threatening, whereas, she informed about threatening of the applicant on the same day to her father. Under these circumstances, so also in light of the fact that the applicant has no criminal antecedents and he is permanent resident of District Jhalawar (Rajasthan) and there is no likelihood of his absconding or tampering with the prosecution evidence. It is further submitted that the applicant is ready and willing to co-operate in the investigation and shall abide by all the terms and conditions as may be imposed by this Court; therefore, he prays for grant of anticipatory bail.

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.

Having taking into consideration the entirety of the facts and material available on record, without expressing any opinion on merits of the case, this application is allowed and it is directed that in the *event of arrest*, the applicant be released on bail on executing a personal bond in the sum of **Rs.1,00,000/- (Rupees One Lac Only) with one local surety** in the like amount to the satisfaction of the Arresting Officer/Investigating Authority.

The applicant shall not move in the vicinity of complainant/prosecutrix and shall not be a source of embarrassment or harassment to the complainant party in any manner.

The applicant shall further abide by other conditions enumerated under

Section 438 (2) of the Code of Criminal Procedure.

Certified copy as per rules.

(SUNITA YADAV)
JUDGE

(LJ*)

