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

**BEFORE  
HON'BLE SHRI JUSTICE ANAND PATHAK  
ON THE 10<sup>th</sup> OF JANUARY, 2024  
MISC. CRIMINAL CASE No. 55323 of 2023**

**BETWEEN:-**

**SANJU JATAV S/O SHRI VIJAYRAM JATAV, AGED  
ABOUT 35 YEARS, R/O RAM NAGAR POST PORSA  
TEHSIL AMBAH DISTRICT MORENA M.P. (MADHYA  
PRADESH)**

**.....APPLICANT**

**(BY SHRI TAJUDDIN KHAN- ADVOCATE)**

**AND**

**THE STATE OF MADHYA PRADESH THROUGH POLICE  
STATION INDERGARH DISTRICT DATIA (MADHYA  
PRADESH)**

**.....RESPONDENTS**

**(BY SHRI R.S. KUSHWAH- DY. ADVOCATE GENERAL)**

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

**ORDER**

1. The applicant has filed this first bail application u/S.439 Cr.P.C for grant of bail. Applicant has been arrested on 23.09.2020 by Police Station Indergarh District Datia in connection with Crime No.324/2019 for the offence punishable under Sections 307, 394/34 of IPC and Section 11/13 of MPDVPK Act.

2. It is the submission of learned counsel for the applicant that earlier applicant was arrested on 23.09.2020 and material prosecution witnesses have been examined therefore, chance of tempering with evidence/witnesses is

remote. It is further submitted that applicant has suffered more than three years of incarceration as pretrial detention and he is already suffering confinement in another case registered against him vide Crime No.494/2020 at Police Station Sabalgarh. Therefore, if he is released on bail in this case, he would not be set at liberty and still he would have to suffer confinement. No recovery in respect of looted property has been made from the possession of present applicant. He undertakes to cooperate in trial, if he is released on bail and would abide by all the terms and condition as imposed by this Court. He further undertakes not to be a source of embarrassment and harassment to the complainant party in any manner. Looking to the period of custody, this case be considered for bail.

3. Learned Government Advocate for the respondent/State opposed the prayer and prayed for its dismissal.

4. Heard learned counsel for the parties and perused the case diary.

5. Considering the submissions, the period of custody but without commenting upon the merits of the case, this Court intends to allow the application. It is hereby directed that the applicant shall be released on bail on his furnishing personal bond of **Rs.50,000/- (Rupees Fifty Thousand Only)** with one solvent surety of the like amount to the satisfaction of trial Court.

6. 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 shall not commit an offence similar to the offence of which he is accused;

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;

7. Applicant shall not move in the vicinity of complainant and shall not be a source of embarrassment and harassment to them in any manner and shall take medical treatment for his disease and keep the documentation ready and would submit before the trial Court as and when required.

7. Application stands **allowed** and disposed of.

8. Copy of this order be sent to the trial Court concerned for compliance.

9. Certified copy as per rules.

(ANAND PATHAK)  
JUDGE

Vishal