

1
**IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR**

**BEFORE
HON'BLE SMT. JUSTICE SUNITA YADAV
ON THE 29th OF JANUARY, 2024**

MISC. CRIMINAL CASE No. 57672 of 2023

BETWEEN:-

**ANIL BHADORIYA S/O SHRI VIJENDRA SINGH
BHADORIYA, AGED 37 YEARS, R/O GRAM DHANOLI,
POLICE STATION MEHGAON DISTRICT BHIND
(MADHYA PRADESH)**

.....APPLICANT

(BY SHRI PREMSINGH BHADORIA - ADVOCATE)

AND

**THE STATE OF MADHYA PRADESH THROUGH POLICE
STATION MEHGAON DISTRICT BHIND (MADHYA
PRADESH)**

.....RESPONDENT

***(BY SHRI GIRRAJ SONI - PANEL LAWYER FOR RESPONDENT/STATE)
(BY SHRI S.K.JADON - ADVOCATE FOR COMPLAINANT)***

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

ORDER

I.A.No.205 of 2024, an application under Section 301 (2) of the Cr.P.C.
filed on behalf of the complainant is taken up, considered and allowed for the
reasons mentioned therein.

Shri S.K.Jadon, Advocate and his associates are permitted to assist the
prosecution.

This is **first** application filed by the applicant u/S.439 of Cr.P.C in
connection with Crime No. 349 of 2023 registered at Police Station Mehgaon,
District Bhind (M.P.) for the offence punishable under Sections 307, 323, 294,

336, 506, 147, 148 and 149 of IPC.

Learned counsel for the applicant argued that the applicant is innocent and has been falsely implicated. Applicant has not been attributed any role to cause injury to injured Ajit and Bhupendra. As per allegations, he was simply standing with a Sword. A cross case bearing Crime No.350/2023 has already been registered against complainant party. The applicant is in custody since 01.12.2023 and he is not having any criminal antecedent. Applicant is the permanent resident of District Bhind (M.P.) and there is no possibility of his absconsion or tampering with the prosecution evidence, therefore, he prays for grant of bail to the applicant.

Per contra, learned Panel Lawyer for the respondent/State as well as counsel for the complainant has vehemently opposed the bail application and prayed for its dismissal.

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 a solvent surety in the like amount to the satisfaction of the trial 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 them from disclosing such facts to the Court or to the Police Officer, as the case may be;
- 4) The applicant will 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; and

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

AK/-