IN THE HIGH COURT OF MADHYA PRADESH AT INDORE

BEFORE

HON'BLE SHRI JUSTICE PREM NARAYAN SINGH

ON THE 2nd OF FEBRUARY, 2024

MISC. CRIMINAL CASE No. 4410 of 2024

BETWEEN:-

JAGDISH S/O MALSINGH, AGED ABOUT 21 YEARS, OCCUPATION: LABOR GRAM BADIYA PATELPURA PS MANAWAR DISTRICT DHAR (MADHYA PRADESH)

.....APPLICANT

(SANJAY KUMAR SHARMA, LEARNED COUNSEL FOR THE PETITIONER .)

AND

THE STATE OF MADHYA PRADESH STATION HOUSE OFFICER THROUGH POLICE STATION MANAWAR, DHAR DISTRICT DHAR (MADHYA PRADESH)

.....RESPONDENTS

(SAMEER VERMA PL APPEARING ON BEHALF OF ADVOCATE GENERAL.)

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

ORDER

Heard and perused the record.

1.This is first bail application filed on behalf of the applicant under Section 439 of the Code of Criminal Procedure for grant of bail. The applicant is arrested in relation to Crime No.1244/2023, registered at Police Station-Manawar, District-Dhar, for the offence under Section 306 of IPC, 1860. The applicant is in custody since 14.11.2023.

2. Allegation against the applicant is of abetment due to which the

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deceased has committed suicide.

3 . Learned counsel for the applicant submits that the applicant is an innocent person and has falsely been implicated in this case. Investigation is over and chargesheet has been filed. It is a case of love affair. In the whole suicide note, the deceased has narrated about the love affair with the applicant and accepted her wrongs to be involved in such type of love affair and not obeying the parents. It is submitted by the counsel that only on the aforesaid basis, the ingredient of abetment is not made out. The applicant is also ready to face the trial. He is in custody since 14.11.2023 and conclusion of trial will take sufficient long time. Under these circumstances, counsel prays for grant of bail to the applicant.

4. Learned counsel for the State has also opposed the prayer and prayed for its rejection.

5. After hearing learned counsel for the parties and looking to the facts and circumstances of the case, I am of the view that it is a case, in which the applicant may be released on bail. Consequently, without commenting on the merits of the case, first bail application under Section 439 of the Code of Criminal Procedure for grant of bail filed on behalf of applicant, stands **allowed.**

6. It is directed that the applicant be released on bail on his/her furnishing a personal bond in the sum of **Rs.50,000/- (Rupees Fifty thousand only)** with one solvent surety in the like amount to the satisfaction of the trial Court, for his/her regular appearance before the trial Court during trial with a condition that he/she shall remain present before the concerned Court on all the dates fixed by it during trial. The applicant shall abide by all the conditions enumerated under Section 437(3) of Cr.P.C.

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7. This order shall be effective till the end of the trial. However, in case of bail jump and breach of any of the conditions of bail, it shall become ineffective.

Certified copy as per rules.

(PREM NARAYAN SINGH)
JUDGE

VD

THE HIGH COURT OF MADHYA PRADESH
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