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. 4951 of 2024

BETWEEN:-

**PRADEEP S/O GANPATLAL PANWAR,
AGED ABOUT 24 YEARS, OCCUPATION: LABOR
R/O VILLAGE PAMAKHEDA
TEHSIL MALHARGARH DISTT. MANDSAUR
(MADHYA PRADESH)**

.....APPLICANT

(SHRI HIMANSHU THAKUR - ADVOCATE)

AND

**THE STATE OF MADHYA PRADESH
STATION HOUSE OFFICER THROUGH
POLICE STATION JEERAN DISTT. NEEMUCH
(MADHYA PRADESH)**

.....RESPONDENTS

(SHRI SURENDRA GUPTA - GOVT. ADVOCATE)
(SHRI VIJAY SHARMA - ADVOCATE FOR RESPONDENT/OBJECTOR)

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

ORDER

Heard and perused the record.

This is the first bail application filed on behalf of the applicant under Section 439 of the Code of Criminal Procedure for grant of bail in relation to Crime/FIR No.285/2023 dated (not mentioned), registered at Police Station-Jeeran, District-Neemuch for the offence punishable under Sections 376, 506 of IPC, 1860. Applicant is in custody since 11.12.2023.

2. Allegation against the applicant is that of commission of rape with the

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prosecutrix.

3. Learned counsel for the applicant submitted prosecutrix is a major lady and she has filed the complaint on the behest of her husband. Now prosecutrix has no objection if the applicant is released on bail. The applicant is in jail since 11.12.2023 and final conclusion of trial will take sufficient time. On the aforesaid grounds, counsel prays for grant of bail.

4. Learned counsel for the objector submitted that prosecutrix has no objection if the applicant is released on bail.

5. Learned Govt. Advocate has opposed the prayer and prayed for its rejection.

6. Looking to the facts and circumstances of the case, no objection of the prosecutrix, without commenting on the merits of the case, this application is allowed.

7. It is directed that the applicant/accused be released on bail on his 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 securing his presence before the said Court on all the dates of hearing fixed in this regard during trial. It is also directed that the applicant shall comply with the provisions of Section 437(3) Cr.P.C.

8. This order shall remain effective till the end of the trial but in case of bail jump and breach of any of the pre-conditions of bail, it shall become ineffective and cancelled without reference to this Bench.

Certified Copy as per rules.

(PREM NARAYAN SINGH)

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JUDGE

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