IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE VISHAL DHAGAT

ON THE 2nd OF FEBRUARY, 2024

MISC. CRIMINAL CASE No. 3080 of 2024

BETWEEN:-

RAVI KUMAR VISHWAKARMA S/O UMESH VISHWAKARMA, AGED ABOUT 26 YEARS, OCCUPATION: AGRICULTURE VILLAGE POST BARELI, POLICE STATION GOHPARU DISTRICT SHAHDOL (MADHYA PRADESH).

.....APPLICANT

(SHRI BRIJESH MISHRA - ADVOCATE FOR APPLICANT)

AND

THE STATE OF MADHYA PRADESH THROUGH POLICE STATION GOHPARU DISTRICT SHAHDOL (MADHYA PRADESH).

.....RESPONDENT

(SHRI AKSHAY NAMDEO - GOVERNMENT ADVOCATE FOR STATE AND SHRI S.K. DWIVEDI - ADVOCATE FOR OBJECTOR)

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

ORDER

This is the first bail application filed by applicant under Section 439 of Code of Criminal Procedure for grant of regular bail relating to FIR No.478/2023, registered at Police Station-Gohparu, District Shahdol (M.P.) for the offence punishable under Sections 354-A, 354-B, 294, 506, 323, 384, 385, 34 of IPC and Section 67 of IT Act.

2. Learned counsel appearing for applicant submitted that prosecutrix has appeared before trial Court and she has not objected application for grant of

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bail. Applicant is in jail since 22.10.2023. In these circumstances, applicant be released on bail.

3. Counsel appearing for the complainant also submitted before Court that he does not have any objection if applicant is released on bail.

4. Learned Government Advocate appearing for the State opposed the bail application. It is submitted that offence under Section 354 of IPC is punishable with 5 years' imprisonment and offences under Sections 384 and 385 of IPC are punishable with 3 years' imprisonment.

5. Heard learned counsel for the parties.

6. Considering the nature of offence and no objection given by counsel for complainant, bail application filed by the applicant is ***allowed.*** It is directed that the applicant shall be released on bail on his furnishing 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 concerned for his regular appearance before Court on all such dates as may be fixed in this regard during pendency of trial.

7. The applicant shall also abide by the following conditions of Section 437(3) of Cr. P. C. as under:-

> *(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter;*
>
> *(b) that such person shall not commit any offence similar to the offence of which he is accused, or suspected of the commission of which he is suspected and;*
>
> *(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.*

8. Certified copy as per rules.

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(VISHAL DHAGAT)
JUDGE

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