IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE PRAMOD KUMAR AGRAWAL

ON THE 2nd OF FEBRUARY, 2024

MISC. CRIMINAL CASE No. 3644 of 2024

BETWEEN:-

1. **PULU@ CHANDRAPRAKASH S/O JHANAK SINGH, AGED ABOUT 24 YEARS, OCCUPATION: LABOUR R/O BOPALWADI POLICE STATION AMLA TEHSIL AMLA DISTRICT BETUL (MADHYA PRADESH)**

2. **SATYAM @ SANGRAM S/O JHANAK SINGH, AGED ABOUT 21 YEARS, OCCUPATION: LABOUR R/O BOPALWADI P.S. AMLA TEHSIL AMLA DISTRICT (MADHYA PRADESH)**

.....APPLICANT

(BY SHRI IRFAN KHAN - ADVOCATE)

AND

1. **THE STATE OF MADHYA PRADESH THROUGH POLICE STATION AMLA DISTRICT BETUL (MADHYA PRADESH)**

2. **VICTIM A D/O NOT MENTION NOT MENTION (MADHYA PRADESH)**

.....RESPONDENTS

(BY SHRI PANKAJ TIWARI - PANEL LAWYER)

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

ORDER

After arguing for some time, learned counsel for the applicants prays for withdrawal of the bail application filed on behalf of applicant no.1 Pulu @ Chandraprakash.

Prayer is allowed.

Signature Not Verified
Signed by: ANUPRIYA SHARMA
Signing time: 2/3/2024 12:01:59 PM

The bail application on behalf of applicant no. 1 Pulu @ Chandraprakash is hereby dismissed as withdrawn.

Heard the bail application only on behalf of applicant no.2 Satyam @ Sangram.

This is the first bail application filed by the applicant no.2 under Section 439 of the Code of Criminal Procedure for grant of regular bail relating to Crime No. 957/2023 registered at Police Station - Amla District Betul (M.P.) for the offence punishable under Sections 363, 366, 34 of IPC and section 11/12 of POCSO Act. Applicant no.2 is in detention since 4/01/2024.

2. As per the prosecution story, it is alleged that applicant no.1 Pulu @ Chandraprakash forcibly took the prosecutrix to Indore without her consent and applicant no.2 has given money to applicant no.1 therefore, the aforesaid offence has been registered against them.

3. Learned counsel for the applicant no.2 submitted that applicant no.2 is in jail since 4/01/2024. He has been falsely implicated. It is submitted that only allegation against the applicant is that he has given money to main accused/applicant no.1 Pulu @ Chandraprakash, who has taken away the prosecutrix with him. He has no criminal past. Charge sheet has been filed. The trial of the case will take considerable time. Therefore, it has been prayed that the applicant no.2 may be released on bail pending the trial.

4. On the other hand, learned counsel for State has opposed the grant of bail to the applicant.

5. Having taken into consideration all the facts and circumstances of the case, but without commenting on merit of the case, I am inclined to release the applicant no.2 Satyam @ Sangram on bail. Consequently, bail application under Section 439 of the Code of Criminal Procedure for grant of bail filed on behalf

Signature Not Verified
Signed by: ANUPRIYA SHARMA
Signing time: 2/3/2024 12:01:59 PM

of applicant no.2, stands **allowed**.

6. It is directed that applicant no.2 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 his regular appearance before the trial Court during trial with a condition that he shall remain present before the concerned Court on all the dates fixed by it during trial. He shall abide by all the conditions enumerated under Section 437(3) of Cr.P.C.

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.

(PRAMOD KUMAR AGRAWAL)
JUDGE

navin

Signature Not Verified
Signed by: ANUPRIYA SHARMA
Signing time: 2/3/2024 12:01:59 PM