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. 4521 of 2024

BETWEEN:-

ANIRUDDH SHIWADE S/O SHRI VITTHALRAO SHIWADE, AGED ABOUT 62 YEARS, R/O NEAR BUDHA VIHAR JUNI BASTI BESA ROAD BHAGWAN NAGR PARVATI NAGAR NAGPUR DISTRICT MAHARASHTRA (MAHARASHTRA)

.....APPLICANT

(BY SHRI S.K. VERMA - ADVOCATE)

AND

THE STATE OF MADHYA PRADESH THROUGH POLICE STATION BHARVELI DISTRICT BALAGHAT (MADHYA PRADESH)

.....RESPONDENTS

(BY SHRI NARENDRA CHOURASIA - GOVERNMENT ADVOCATE)

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

ORDER

This is ***first*** application filed by the applicant under Section 439 of the Code of Criminal Procedure for grant of regular bail relating to FIR No.2/2024 registered at Police Station-Bharveli, District-Balaghat (M.P.) for the offence under Sections 295-A, 153-A, 34 of the IPC.

2. Learned counsel appearing for the applicant submitted that applicant is in jail since 16.01.2024. Applicant is innocent and has falsely been implicated in the case. It is submitted that offence is not serious in nature and punishable up to five years of imprisonment and triable by Judicial Magistrate First Class. In

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these circumstances, applicant may be released on bail.

3. Learned Government Advocate appearing for the State opposed the application for grant of bail.

4. Heard the counsel for the parties.

5 . Considering the aforesaid facts and circumstances of the case, without commenting on the merits of the case, bail application filed by applicant i s ***allowed.*** It is directed that the applicant shall be released on bail on furnishing personal bond of ***Rs.50,000/- (Rs. 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.

6. 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.

7. C.C. as per rules.

(VISHAL DHAGAT)

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JUDGE

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