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. 57168 of 2023

BETWEEN:-

RITESH YADAV S/O MAHENDRA SINGH @ BABLU YADAV, AGED ABOUT 23 YEARS, OCCUPATION: LABOUR VILLAGE KARONDA TEHSIL BINA DISTRICT SAGAR (MADHYA PRADESH)

.....APPLICANT

(BY MS. RASHI DUA - ADVOCATE)

AND

THE STATE OF MADHYA PRADESH THROUGH POLICE STATION BHANGARH DISTRICT SAGAR (MADHYA PRADESH)

.....RESPONDENT

(BY MS. SEEMA PANDEY - PANEL LAWYER)

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

ORDER

This is the first bail application filed by the applicant under Section 439 of the Code of Criminal Procedure for grant of regular bail relating to Crime No.279/2023 registered at Police Station - Bhangarh District Sagar (M.P.) for the offence punishable under Sections 3294, 458, 327, 427, 506, 34 of IPC. Applicant is in detention since 29.11.2023.

2. As per the prosecution story, allegation against the applicant is that he alongwith other two persons entered the house of the complainant abusing him with the intention to beat him. Thereafter, thereafter the complainant locked

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himself in another room so, the accused persons broke the chair with sticks, causing a loss of Rs.4000/-. He called his cousins Shishupal, Mahipal, Ankit and Abhay and when they came, the accused persons ran away and said that if they ever meet in future, they will kill them. On the basis of information, offence under aforesaid sections has been registered against the present applicant.

3. Learned counsel for the applicant submitted that applicant in jail since 29.11.2023. He is innocent and has been falsely implicated. Offence is triable by JMFC. Trial will take considerable time. Charge sheet has been filed. Therefore, it has been prayed that the applicant may be released on bail.

4. On the other hand, learned counsel for State has opposed the prayer for grant of bail to the applicant on the ground of his criminal past.

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 on bail. Consequently, bail application under Section 439 of the Code o f Criminal Procedure for grant of bail filed on behalf of applicant, stands **allowed**.

6. It is directed that applicant 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. In case of breach of any of the aforementioned conditions, the bail granted by this Court shall stand rejected automatically.

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

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ineffective.

Certified copy as per rules.

(PRAMOD KUMAR AGRAWAL)
JUDGE

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