

THE HIGH COURT OF MADHYA PRADESH
Cr.A. No.8028/2018
(Suneel Karan Rajput and Another Vs. State of M.P. And
Another)

Gwalior, dated : 10/12/2018

Shri Rajiv Upadhyay, learned counsel for the appellants.

Shri Pramod Pachori, learned Public Prosecutor for the respondent No.1-State.

None for respondent No.2 though served/ intimated.

Appellants have filed this criminal appeal under Section 14-A(2) of the SC and ST (Prevention of Atrocities) Act, 1989 (for short "Atrocities Act") against the order dated 03/08/2018 passed by Special Judge (SC/ST Act), District-Morena whereby bail application under Section 439 of Cr.P.C. filed on behalf of appellants has been dismissed by the trial Court.

It is the submission of the counsel for the appellants that case is of false implication. The alleged act attributable over the appellants cannot be substantiated on the basis of statement of the prosecutrix as well as contents of the FIR. The marriage has been allegedly solemnized by the Anshu Rajput with the prosecutrix and they being the brother of Ravi, have been implicated in the case. He submits that at best, role is attributable to Ravi and Anshu and not over the present appellants. They undertake to cooperate in the investigation/ trial, therefore, prayed for bail.

Learned Public Prosecutor for the respondent-State opposed the prayer and prayed for rejection of the appeal.

Heard the learned counsel for the parties and perused the record.

Considering the submissions advanced and looking to the fact situation but without commenting on the merits of the case, appeal is allowed. It is hereby directed that the appellants namely Suneel Karan Rajput and Anil Karan Rajput shall be released on bail on their furnishing personal bonds of **Rs. 50,000/- (Rupees Fifty Thousand)** each with a solvent surety each of the like amount each to the

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satisfaction of Trial Court.

This order will remain operative subject to compliance of the following conditions by the appellants :-

1. The appellants will comply with all the terms and conditions of the bond executed by them;
2. The appellants will cooperate in the investigation/trial, as the case may be;
3. The appellants will not indulge themselves in extending inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to the Police Officer, as the case may be and would not move in the vicinity of the complainant;
4. The appellants shall not commit an offence similar to the offence of which they are accused;
5. The appellants will not seek unnecessary adjournments during the trial;
6. The appellants will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be.

A copy of this order be sent to the Court concerned for compliance.

C.C. as per rules.

(Anand Pathak)
Judge