

**THE HIGH COURT OF MADHYA PRADESH**  
**MCRC-18378-2021**  
*(JAIRAM SINGH Vs THE STATE OF MADHYA PRADESH)*

**Gwalior, Dated : 22/04/2021**

**Heard through video conferencing.**

Shri Harish Sharma, learned counsel for applicant.

Shri I.S. Ashtana, learned Panel Lawyer for respondent/State.

Heard learned counsel for the parties.

The applicant has filed first bail application u/S.438, Cr.P.C. for grant of anticipatory bail. The applicant is apprehending his arrest in connection with Crime No.42/2021, registered by Police Station Indergarh, District Datia, in relation to the offences punishable under Section 306 of IPC.

It is submitted that applicant is 80 years of age and he has falsely been implicated in the present case due to previous enmity. The death has taken place by hanging herself and the allegations against the present applicant and others are that they used to harass the deceased. It is further pointed out that on 25.11.2020, the deceased's husband has also committed suicide owing to the harassment caused by the present applicant and other co-accused, but as per the case diary, no case was registered against the present applicant in pursuance to the aforesaid

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offence. Now, they used to continuously harassed the deceased by saying that they killed her husband and now they will kill her and her children also, owing to which, the deceased has committed suicide also. It is further submitted that he is 80 years of age and suffering from breathing problem. Documents pertaining to the same are also filed along with the bail application. He is having no criminal history. It is submitted that other co-accused have filed anticipatory bail application which are pending consideration. He is ready to abide by all the terms and conditions as may be imposed by this Court. Upon these grounds, he prays for bail.

Learned P.L for the State has opposed the application stating that applicant and other co-accused are still absconding in the matter and they are not cooperating in the investigation. Allegations as per the prosecution are same which have been stated by the counsel appearing for the applicant. He could not the dispute the age of the present applicant.

Taking into overall facts and circumstances of the case as well as considering the fact that age of the present applicant and considering the fact that in view of Covid-19 pandemic, without

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commenting on the merits of the case, his application is allowed *subject to verification of the fact that he is a first offender* and it is hereby directed that in the event of arrest, the applicant shall be released on bail on his furnishing personal bond of **Rs.50,000/- (Rupees Fifty Thousand only)** to the satisfaction of Investigation Officer / trial Court, as the case may be with submission of written undertaking that he will abide by the terms and conditions of different circulars, orders as well as guidelines issued by Central Government, State Government as well as Local Administration for maintaining social distancing, hygiene etc to avoid Novel Corona Virus (COVIC-19) pandemic and he will has to install **Arogya Setu App**, if not already installed.

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

- 1.The applicant will comply with all the terms and conditions of the bond executed by him;
2. The applicant will cooperate in the investigation/trial, as the case may be;
3. The applicant will not indulge himself in extending inducement, threat or promise to any person acquainted with the

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facts of the case so as to dissuade him from disclosing such facts to the Court or to the Police Officer, as the case may be;

4. The applicant shall not commit an offence similar to the offence of which he is accused;

5. The applicant will not seek unnecessary adjournments during the trial;

6. The applicant will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be; and

7. The applicant will inform the SHO of concerned police station about his residential address in the said area and it would be the duty of the Public Prosecutor to send **E-copy** of this order to SHO of concerned police station for information.

Application stands allowed and disposed of.

**E- copy** of this order be sent to the trial Court concerned for compliance, if possible for the office of this Court.

Certified copy/ e-copy as per rules/directions.

**(Vishal Mishra)**  
**JUDGE**