

The High Court Of Madhya Pradesh

MCRC-4701-2021

(AMIT SINGH TOMAR ALIAS BHOLU SINGH Vs THE STATE OF MADHYA PRADESH)

Gwalior, Dated : 22/02/2021

Shri Mohit Jain, learned counsel for the applicant.

Shri Nitin Goyal, learned Panel Lawyer for the respondent/State.

I.A. No.2664/2021, an application for urgent hearing, is taken up, considered and allowed for the reasons mentioned therein.

This is the first bail application under section 438 of CrPC filed by the applicant for grant of anticipatory bail.

The applicant apprehends his arrest in connection with Crime No.409/2020 registered at Police Station Porsa, District Morena (M.P.) for offence under Sections 304-B, 498-A/345 of IPC and section 3/4 of Dowry Prohibition Act.

It is submitted by learned counsel for the applicant—**Amit Singh Tomar @ Bholu Singh** that he has falsely been implicated in the case and he is innocent and he has not committed any offence. It is further submitted that the applicant is aged around 20 years and the incident is a result of accident. In support of his arguments, various documents/photographs has been filed, wherein the family members of the deceased are under treatment of burning. Hence, he prayed to grant anticipatory bail to the applicant.

The High Court Of Madhya Pradesh

MCRC-4701-2021

(AMIT SINGH TOMAR ALIAS BHOLU SINGH Vs THE STATE OF MADHYA PRADESH)

Learned State counsel has opposed the submissions and submitted that offence has been registered under Sections 304-B, 498-A/345 of IPC and section 3/4 of Dowry Prohibition Act. Hence, prayed to reject the anticipatory bail application of the applicant.

Heard learned counsel for the parties and considered the arguments advanced by them and perused the case diary.

Considering the facts and circumstances of the case and looking to the age of the present applicant, i.e., 20 years, without commenting on merits of the case, the application is allowed. It is hereby directed that in the event of arrest, the applicant shall be released on anticipatory bail on his furnishing a personal bond of **Rs.1,00,000/-(Rupees One Lakh Only)** with one solvent surety in the like amount to the satisfaction of the Arresting Officer/ Investigating Officer.

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 shall make himself available for interrogation by a police officer as and when

The High Court Of Madhya Pradesh

MCRC-4701-2021

(AMIT SINGH TOMAR ALIAS BHOLU SINGH Vs THE STATE OF MADHYA PRADESH)

required. He shall further abide by the other conditions enumerated in sub-Section (2) of Section 438 of Cr.P.C.

3. The applicant will not indulge himself 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;

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; and

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

E-copy of this order be sent to the Court concerned for compliance as well as e-copy of the order be given to the learned State counsel with a direction to keep the same in the concerned case diary.

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

(Rajeev Kumar Shrivastava)
Judge