

**The High Court of Madhya Pradesh**  
**MCRC-9175-2021**  
**(Ramesh Vs. The State of M.P.)**

**Gwalior dated :22.02.2021**

Shri Rajesh Pathak, learned counsel for the applicant.

Shri R.K. Awasthi, learned Public Prosecutor for the respondent/State.

Learned counsel for the rival parties are heard.

Case diary is perused.

This is first application filed u/S.438 Cr.P.C. for grant of anticipatory bail by the applicant.

Applicant apprehends arrest in connection with offences punishable u/Ss.452, 294, 323, 506 of IPC registered as Crime No.30/2021 by Police Station Kachnar Distt. Ashoknagar.

Learned counsel for the State opposed the application and prayed for its rejection by contending that on the basis of the allegations and the material available on record, no case for grant of anticipatory bail is made out.

Applicant who has no criminal antecedents is alleged with house trespass, criminal intimidation, uttering abusive words and causing minor injury to the complainant. Except offence u/S. 452 of IPC all other offences are triable by JMFC.

Considering the above and that the material placed on record does not disclose the possibility of applicant fleeing from justice, this Court, in the special circumstances of ongoing Covid-19 pandemic, is inclined to extend the benefit of anticipatory bail to the applicant but with certain stringent conditions.

Accordingly, without expressing any opinion on merits of the case, I deem it appropriate to allow this application u/S.438 of Cr.P.C. in the following terms.

It is hereby directed that in the event of arrest, the applicant shall be released on bail on furnishing a personal bond in the sum of **Rs.50,000/- (Rs. Fifty Thousand only) with two solvent sureties of the like amount** to the satisfaction of the Arresting Authority.

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 facts of the case so as to dissuade him/her 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;
7. The applicant as a **Shiksha Swayamsevak** shall render physical and financial assistance to Government Primary School situated nearest to residence of applicant for ensuring hygiene and sanitation and for removing deficiencies of infrastructural amenities in the said school from the skill/resources of the applicant.  
[याचिकाकर्ता एक **शिक्षा स्वयंसेवक** के रूप में अपने निवास के निकट अवस्थित सरकारी प्राथमिक विद्यालय में स्वच्छता और आरोग्य को सुनिश्चित करने के लिए शारीरिक एवं वित्तीय सहायता प्रदान करेगा तथा अपने कौशल व संसाधनों से उक्त विद्यालय में अवसंरचनात्मक सुविधाओं की कमियों को दूर करेगा।]

The petitioner after selecting a particular Govt. Primary School shall inform about the same to the office of Gram Panchayat (in case of rural area) and/or Ward Officer of the concerned ward (in case of urban area), within whose territorial jurisdiction the said school is situated. [याचिकाकर्ता एक विशिष्ट सरकारी स्कूल का चयन करने के पश्चात् इसके बारे में ग्राम पंचायत के कार्यालय (ग्रामीण क्षेत्र के मामले में) और/या सम्बंधित वार्ड के वार्ड अधिकारी (शहरी क्षेत्र के मामले में) जिसके क्षेत्राधिकार में उक्त स्कूल अवस्थित है, को सूचित करेगा।]

It will be joint responsibility of Sarpanch and Secretary of said Gram Panchayat (in case of rural area) and/or Ward Officer of the concerned ward (in case of urban area) to preserve the said information provided by the petitioner. [यह सम्बंधित वार्ड के वार्ड अधिकारी (शहरी क्षेत्र के मामले में) और/या उक्त ग्राम पंचायत के सरपंच और सचिव (ग्रामीण क्षेत्र के मामले में) की संयुक्त जिम्मेदारी होगी कि, याचिकाकर्ता द्वारा प्रदत्त सूचना को संरक्षित करे एवं सम्बंधित पी एल वी को हस्तांतरित करें।]

The registry of this Court shall communicate this order through Legal Aid Officer, SALSA, Gwalior to the Collector, District Education Officer, Block Education Officer of the district/block concerned for information and compliance.

A copy of this order be supplied to the Legal Aid Officer, SALSA, Gwalior who is directed to communicate this order to District Education Officer, Block Education Officer of the district/block concerned to verify as to whether applicant has complied with condition No.7 or not and submit report once every month.

In case, report regarding condition No.7 is not filed or report is found to be wanting in any manner then Registry is directed to list this matter as PUD before appropriate Bench.

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

C.c. as per rules.

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**(Sheel Nagu)**  
**Judge**