

IN THE HIGH COURT OF MADHYA PRADESH**AT GWALIOR****BEFORE****HON'BLE SHRI JUSTICE ANAND PATHAK****ON THE 10th AUGUST, 2022****MISC. CRIMINAL CASE No. 37024 of 2022****Between:-****SMT. BHAVNA W/O SHRI TRILOK AHIRWAR,
AGED ABOUT 30 YEARS, OCCUPATION
-HOUSEWIFE R/O VILLAGE AURINA POLICE
STATION BADONI DISTRICT DATIA (MADHYA
PRADESH)****.....APPLICANT****(BY SHRI SUSHIL GOSWAMI - ADVOCATE)****AND****STATE OF MADHYA PRADESH,
THROUGH POLICE STATION BADONI DISTRICT
DATIA (MADHYA PRADESH)****.....RESPONDENT****(BY SHRI BPS CHAUHAN -PUBLIC PROSECUTOR**

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

ORDER

The applicant has filed this first bail application u/S.439 Cr.P.C. for grant of bail. Applicant has been arrested on 07-06-2022, by Police Station- Badoni District- Datia, in connection with Crime No.97/2022, for the offence punishable under Sections 304-B, 498-A, 34 of IPC and Section 3/4 of the

Dowry Prohibition Act.

It is the submission of the learned counsel for the applicant that the applicant who is 30 years old lady is suffering confinement since 07-06-2022 on the basis of omnibus allegation levelled by the family members of deceased. She has two children to maintain and all other accused are in jail, therefore, chance of tampering with the evidence/witnesses is remote. She does not bear any criminal record. Confinement amounts to pretrial detention. She undertakes to cooperate in the investigation/trial and would make herself available as and when required. The applicant undertakes that she shall not be a source of embarrassment and harassment to the complainant party in any manner and shall not move in their vicinity. Under these grounds, he prayed for bail.

Counsel for the State opposed the prayer and and prayed for rejection of this bail application.

Heard learned counsel for the parties at length and considered the arguments advanced by them.

Considering the submissions advanced by the learned counsel for the parties and looking to the period of custody and the fact that all accused are in jail, without commenting any opinion on the merits of the case, it is hereby directed that the applicant shall be released on bail, on his furnishing personal

bond of **Rs.50,000/- (Rupees Fifty Thousand Only)** along with one solvent surety of like amount to the satisfaction of trial Court.

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

1.The applicant will comply with all the terms and conditions of the bond executed by her;

2. The applicant will cooperate in the investigation/trial, as the case may be;

3. The applicant will not indulge herself 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 she is accused;

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

6. Applicant shall not be source of harassment and embarrassment to the complainant party in any manner and shall not move in their vicinity.

Copy of this order be sent to the **trial Court** concerned for information

and necessary compliance.

Application stands allowed and disposed of.

Certified copy as per rules.

(Anand Pathak)
Judge

Anil*