

**IN THE HIGH COURT OF MADHYA PRADESH**

**AT GWALIOR**

**BEFORE**

**HON'BLE SHRI JUSTICE ANAND PATHAK**

**ON THE 2<sup>nd</sup> OF DECEMBER, 2022**

**MISC. CRIMINAL CASE No. 53850 of 2022**

**BETWEEN:-**

**VINOD KUMAR RAUT S/O SHRI RAMSINGH RAUT,  
AGED 38 YEARS, R/O VILLAGE NONPUR POLICE  
STATION TEGDA DISTRICT BEGUSARAI (BIHAR)**

**.....APPLICANT**

***(BY MS. AYUSHI VYAS- ADVOCATE)***

**AND**

**THE STATE OF MADHYA PRADESH THROUGH POLICE  
STATION GRP (B.G.) DISTRICT MORENA (MADHYA  
PRADESH)**

**.....RESPONDENT**

***(BY SHRI KULDEEP SINGH- PUBLIC PROSECUTOR)***

*This application coming on for admission this day, the court*

*passed the following:*

**ORDER**

The applicant has filed this NINTH bail application u/S.439 of the Cr.P.C for grant of bail. Applicant has been arrested on 13.12.2019, by Police Station- G.R.P., District- Morena, in connection with Crime No.19/2019, for the offence punishable under Sections 379, 328 and 411 of the IPC. Earlier bail applications were dismissed as withdrawn by this

Court.

It is the submission of learned counsel for the applicant that false case has been registered against the applicant and applicant is suffering confinement since 13.12.2019 and material prosecution witnesses have been examined, therefore, chance of tempering with evidence/witnesses is remote. Applicant bears criminal record of same nature at Ghaziabad, but now he learnt the lesson hard way and would amend his ways because of such long period of confinement. He is ready to abide by all the terms and condition as imposed by this Court including stringent conditions i.e. deposit of cash security. Confinement amounts to pretrial detention. Applicant undertakes to cooperate in trial as well as investigation and would make himself available as and when required. He would not be a source of embarrassment or harassment to the complainant. Under these grounds, counsel prayed for bail.

Learned Public Prosecutor for the State opposed the prayer and submitted that applicant is resident of Village Nonpur, Police Station Tegda, District Begusarai, Bihar, therefore, possibility of his absconcion cannot be ruled out and if the application is allowed, then some stringent conditions may be imposed.

Heard learned counsel for the parties at length and perused the documents appended.

Considering the submissions advanced by the learned counsel for the parties and period of custody, therefore, a chance be given to him for course correction, without commenting on the merits of the case, the application is allowed with certain stringent conditions. It is hereby

directed that the applicant shall be released on bail on his furnishing personal bond of **Rs.1,00,000/- (Rupees One Lakh Only)** with **two solvent sureties (in which one is of cash surety and another one should be local surety of State of M.P.)** in the like amount to the satisfaction of trial Court.

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 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;
6. The applicant will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be;
7. **The applicant would not be a source of embarrassment or harassment to the complainant party and he would not involve in any criminal activity in future.**
8. **The applicant shall mark his presence in the first week of**

**every month before the police station concerned between  
10:30 am to 2:30 pm, till conclusion of trial.**

Application stands **allowed and disposed of.**

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

Certified copy as per rules.

**(ANAND PATHAK)  
JUDGE**

Rashid