

1 CRA-7044-2024
**IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR**

**BEFORE
HON'BLE SHRI JUSTICE VIVEK JAIN
ON THE 25th OF JUNE, 2024
CRIMINAL APPEAL No. 7044 of 2024**

*(VIKRAM
Vs
THE STATE OF MADHYA PRADESH AND OTHERS)*

Appearance:

(SHRI JITENDRA KUMAR TYAGI, ADVOCATE FOR APPELLANT)

(SHRI ROHIT SHRIVASTAVA, PANEL LAWYER FOR RESPONDENT/STATE)

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ORDER

This is first criminal appeal filed by the appellant u/S.14 A (1) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act (hereinafter referred to as "SC/ST Act") assailing the order dated 30.5.2024 passed by the Special Judge (Atrocities), Shivpuri (M.P.) whereby the bail application preferred by the appellant herein u/S.439 of Cr.P.C. relating to Crime No. No.133 of 2024 registered at Police Station - Tendua, District - Shivpuri (M.P.) for offences punishable under Sections 327, 323,294, 506, 34 added Section 325 IPC and Sections 3 (1) (da), 3 (1) (dha), 3 (2) (V) of the SC/ST Act.

Learned counsel for appellant submits that as per prosecution version, the incident has occurred on 19.8.2023 when appellant with other co-accused persons are alleged to have demanded money for consuming liquor from complainant. This led to quarrel and appellant and co-accused persons are stated to have assaulted and caused injuries to the complainant. Learned counsel for the appellant argued that the appellant is innocent and has been falsely implicated in this matter. The appellant is under custody since

25.01.2024. After conclusion of investigation, charge sheet has already been filed, therefore, custodial interrogation of the appellant is not required anymore. There is no likelihood of early hearing of the appeal. Appellant undertakes to co-operate in trial. Further submission is that the appellant is the permanent resident of District Shivpuri (M.P.) and there is no possibility of their absconsion or tampering with the prosecution evidence. On these grounds, he prays for bail to the appellant.

P e r c o n t r a, learned Panel Lawyer for the respondent/State has vehemently opposed the application and prayed for its rejection.

Heard the learned counsel for the parties and perused the case diary.

Considering the facts and circumstances of the case, without commenting upon the merits of the case, this appeal stands allowed and it is directed that the appellant be released on bail on furnishing a personal bond in the sum of **Rs.1,00,000/- (Rs. One Lac only) with one solvent surety** in the like amount to the satisfaction of the concerned trial Court.

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

1. The appellant will comply with all the terms and conditions of the bond executed by him;
2. The appellant will cooperate in the investigation/trial, as the case may be;
3. The appellant 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 appellant will not commit any other offence or will not

repeat the offence in future. In case, if he is found involving in the offence of same nature, this bail order shall stand cancelled automatically without further reference to the Bench.

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

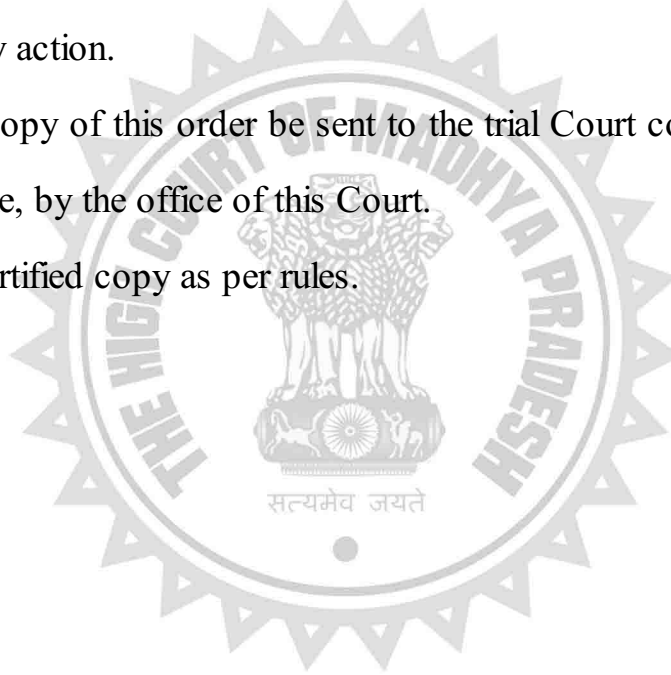
6. The appellant will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be.

Learned State counsel is directed to send an copy of this order to the Station House Officer of the concerned Police Station for information and necessary action.

Ccopy of this order be sent to the trial Court concerned for compliance, if possible, by the office of this Court.

Certified copy as per rules.

Rohit



**(VIVEK JAIN)
JUDGE**