

**IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR
MCRC No. 17687 of 2024**

(MUKESH JHA Vs THE STATE OF MADHYA PRADESH)

Dated : 25-06-2024

Shri Arvind Singh Chauhan - Advocate for applicant.

Shri Neeraj Dhamanya - Panel Lawyer for the State.

This is the first bail application filed under Section 439 of Cr.P.C. on behalf of applicant for grant of regular bail relating to FIR No.598/2023, registered at Police Station Gola ka Mandir, District Gwalior (M.P.) for the offence punishable under Section 392 of IPC and under Section 11/13 of MPDVPK Act.

2. Learned counsel for the applicant submits that as per the prosecution version, two unknown persons snatched the chain while the complainant was on her way to home. The accused persons are said to be riding the motor cycle. He further submits that applicant is in jail since 06.03.2024 and the article gold chain has not been recovered from the possession of applicant. It is further submitted that in the TIP held on 17.05.2024, the present applicant could not be identified by the complainant. The applicant undertakes to cooperate in the investigation and trial if he is granted the benefit of bail.

3. Per contra, learned counsel for the respondent/State opposed the bail application and prayed for dismissal of the application.

4. Heard the counsel for the parties at length and perused the case diary.

5. Considering the submissions advanced by the learned counsel for the parties, but without commenting on the merits of the case, this Court is inclined to grant bail to the applicant but with some stringent conditions. It is hereby directed that the applicant shall be released on bail on his furnishing personal

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

6. This order shall remain operative subject to compliance of following stringent conditions by the applicant,-

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

b. 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 from disclosing such facts to the Court or to the Police Officer as the case may be;

c. The applicant will cooperate in the trial and he shall not commit an offence similar to the offence of which he is accused;

d. The applicant will not seek unnecessary adjournments during the trial;

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

f. The applicant shall not move in the vicinity/village of complainant where he/she resides in any manner;

g. Applicant shall not try to contact the complainant in person or through any digital/electronic media, otherwise benefit of bail shall immediately be withdrawn;

h. The applicant shall not involve himself in any criminal activity in future otherwise, benefit of bail shall immediately be withdrawn.

i. In case of bail jump, this order shall become ineffective.

7. Application stands **allowed and disposed of**.

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

**(VIVEK JAIN)
JUDGE**

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