

**IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR**

MCRC No. 23093 of 2024

(MOH. MEHTAB Vs THE STATE OF MADHYA PRADESH)

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MCRC No.21644 of 2024

(VIPIN YADAV Vs THE STATE OF MADHYA PRADESH)

Dated : 25-06-2024

Shri Rishi Kumar Soni-Advocate for applicants.

Shri Nitin Goyal-Panel Lawyer for respondent/State.

This is **first** bail application under Section 439 of Cr.P.C.for grant of bail on behalf of applicants, who have been arrested on 16/03/2024 in connection with Crime No.95/2024, registered at Police Station Purani Chawani, District Gwalior (M.P.) for the offences punishable under Sections 420, 384 & 467 of IPC.

2. Learned counsel for the applicant submits that applicants are in jail since 16/03/2024. Thereafter, on completion of investigation, charge-sheet, has been filed before the concerned court and RCT No.3869/2024 have been registered. It is argued that as per prosecution version, the allegation against the applicant Vipin Yadav is that he offered to take the complainant to Morena as he was in search of taxi. In the way, on the pretext of police checking, the amount of Rs.19,800/- being carried by the complainant was taken by the applicant Vipin Yadav. Thereafter, on some pretext, the applicant Vipin Yadav made the complainant deboard from the car near the Rituraj Hotel and went away without returning the money. It is further submitted that the applicant Mohd. Mehtab has been booked in the said offence for hatching the conspiracy. Under such circumstances, learned counsel prays for grant of bail to present applicants.

3 . Per contra, learned counsel appearing for the respondent/State

opposes the application and prayed for dismissal of the same. It is further submitted that applicant Vipin Yadav has been identified by the complainant in TIP. However, it is not disputed that the applicants are in custody since 16/03/2024 and after completion of investigation, challan has already been filed.

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 applicants but with some stringent conditions. It is hereby directed that the applicants shall be released on bail on their furnishing personal bond in sum of **Rs.50,000/- (Rupees Fifty Thousand only) each with two solvent sureties in the like amount of District Gwalior** 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 applicants will comply with all the terms and conditions of the bond executed by them;*
- b. The applicants 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;*
- c. The applicants will cooperate in the trial and they shall not commit an offence similar to the offence of which they are accused;*
- d. The applicants will not seek unnecessary adjournments during the trial;*
- e. The applicants will not leave India without previous permission of the trial Court/Investigating Officer as the case may be;*
- f. The applicants shall not move in the vicinity/ village of complainant party where he resides in any manner;*

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

h . The applicants 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.

(Dubey)



**(VIVEK JAIN)
JUDGE**