

HIGH COURT OF MADHYA PRADESH

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MCRC No.17764/20

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(Abhishek Ranjan Vs. State of M.P.)

Indore, Dated : 9.7.2020

Shri Nilesh Dave, learned counsel for the applicant.

Shri Amit Raj, learned counsel for the State.

Heard on the question of grant of bail through video conferencing.

This is the **second application** made by the applicant under Section 439 Cr.P.C. for grant of bail during trial. Earlier bail application being MCRC No.6786/20 was dismissed as withdrawn with liberty to renew the prayer at the subsequent stage by order dated 3.3.2020.

Notice of this application was served on the State counsel. Case diary as per the direction of this Court has been produced and it has been perused.

The applicant is facing trial for the offence punishable under Section 420, 413, 419, 468, 120B of the IPC registered with Police Station – Y.D. Nagar, Mandsaur in Crime No.624/2019.

Learned counsel for the applicant submits that after the previous withdrawal of the bail application further period has lapsed and Challan has been filed and trial has not proceeded further. He further submits that the allegation against the present applicant is about misappropriation of a sum of Rs.6.5 Lakhs and that the applicant is ready to deposit the entire amount and the applicant will have no objection if the entire amount so deposited is withdrawn by the complainant. He further submits that the applicant is in custody since 4.1.2020 and till now even the charges have not been framed and conclusion of trial is likely to take time.

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He submits that in similar circumstances Rajasthan High Court in MCRC No.4171/2020 vide order dated 30.5.2020 has granted bail to the applicant.

In reply learned counsel for the State has opposed the application for grant of bail.

On perusal of the case diary and having regard to the submissions made by counsel for the parties and specially considering the submission of counsel for the applicant about readiness to deposit the entire misappropriated amount, I am of the opinion that a case for grant of bail is made out. Accordingly the MCRC is **allowed** subject to the following conditions:-

1/ The **applicant-Abhishek Ranjan** is directed to be released on bail upon his furnishing a personal bond in the sum of **Rs. 35,000/- (Rs. Thirty Five Thousand)** with one surety in the like amount to the satisfaction of the Trial Court for his appearance as and when directed.

2/ The applicant will deposit Rs.6.5 Lakhs before the trial Court. The complainant is permitted to withdraw the said amount.

3/ If the applicant involves himself in any other offence while on bail, then that will furnish a ground for cancellation of bail.

The applicant will attend each hearing of the trial before the Trial Court out of which this bail arises. Any default in attendance in Court would result in automatic cancellation of the bail granted by this Court.

C.C. as per rules.

**(Prakash Shrivastava)
Judge**

trilok/-