

THE HIGH COURT OF MADHYA PRADESH

M.Cr.C. No.31615/2020

(Rahul and another Vs. State of M.P.)

Indore, Dated: 23/09/2020

Shri Ajay Kumar Mimrot, learned counsel for the applicant.

Shri Ayushman Choudhary, learned counsel for the Respondent/State.

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

This is an application filed by the applicants under Section 438 Cr.P.C. for grant of anticipatory bail.

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

The applicants are apprehending their arrest for an offence punishable under Section 306/34 of the IPC registered with Police Station Kshipra, Indore in Crime No.246/2020.

Learned counsel for the applicants submits that Durgabai W/o Rudan had committed suicide and the applicants are *Jeth and Jethani* (brother-in-law and sister-in-law) of the deceased. He further submits that the applicants are living separately in the same village. He has also submitted that the family members of the deceased have made general and omnibus allegation against all the family members of the present applicants. He submits that the co-accused Gulabbai mother-in-law of the deceased has been granted bail by this Court vide order dated 09/09/2020 passed in M.Cr.C. No.31628/2020 and the father-in-law of the deceased has also been granted bail thereafter by the trial Court. He further submits that if arrested the applicants will suffer serious prejudice.

Learned counsel for the State has opposed the bail application and has referred to the FIR allegations and the statement of father of the deceased.

After hearing the learned counsel for the parties, having regard to the material which is pointed out by learned counsel for the parties and on consideration of the facts and circumstances of the present case, I find it to be a fit case for grant of anticipatory bail to the applicants.

Accordingly the bail application is **allowed** and it is directed that in the event of the applicants' arrest, in connection with Crime No.246/2020, the applicants be released on bail on furnishing a bail bond of Rs.35,000/- (Rupees Thirty Five thousand) each with separate surety of the like amount to the satisfaction of Station House Officer of the Police Station concerned. The applicants are further directed to appear before the Investigating Officer within 2 weeks from today. They would abide by the conditions mentioned in Section 438(2) Cr.P.C.

Certified copy as per rules.

(Prakash Shrivastava)
Judge

krjoshi