

HIGH COURT OF MADHYA PRADESH

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MCRC No.43834/20

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(Lakhan Rathore Vs. State of M.P.)

Indore, Dated : 13.1.2021

Shri Raghuvveer Yardi, learned counsel for the applicant is present in person through Video Conferencing.

Shri Sagar Mule, learned Public Prosecutor for the non applicant – State is present in person through Video Conferencing.

Heard through video conferencing. Perused the case diary.

This is first application under Section 439 of Cr.P.C. for grant of bail.

Applicant – Lakhan Rathore S/o Shivnarayan Rathore is implicated in Crime No.352/2020 registered at Police Station – Civil Lines, District Dewas for the offence punishable under Sections 376, 376(2)(n), 376(h), 506 of the IPC and under Section 5I, 5,/6 of POSCO Act and he is in custody since 24.8.2020.

As per the prosecution story, the applicant being father of the prosecutrix had committed rape upon her.

Learned counsel for the appellant has filed deposition sheet of the prosecutrix, in which she has turned hostile. On this ground bail has been sought.

Learned Public Prosecutor for the State is also heard who has opposed the application.

Considered.

On due consideration of the aforesaid submissions, mainly those advanced by the learned counsel for the applicant, without commenting upon the merits of the case, this bail application is allowed and it is directed that applicant- Lakhan Rathore shall be released on bail on his furnishing a

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personal bond in the sum of **Rs.50,000/- (Rupees Fifty thousand only)** with **one solvent surety** in the like amount to the satisfaction of the concerned Trial Court/Committal Court for his regular appearance before the Trial Court/Committal Court on all dates of hearing as may be fixed in this behalf by the Court concerned during trial. It is also directed that the applicant shall abide by all the conditions enumerated under Section 437(3) of the Cr.P.C.

A copy of this order be sent to the Court concerned for compliance.

M.Cr.C. No.43834/2020 is allowed and stands disposed of

C.C. as per rules.

(Shailendra Shukla)
Judge

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