

THE HIGH COURT OF MADHYA PRADESH
BENCH AT INDORE
(S.B.: HON'BLE Mr. JUSTICE VIVEK RUSIA)
M.Cr.C. No.50010/2021

Applicant: - Raja@ Rajdeep ,S/o Vikram Singh Thakur,
Age-25 years, Occupation-Advocate,
Address- Gandhinagar, Indore (M.P.)

Versus

Respondent: - State of M.P. through P.S. Gandhinagar,
District-Indore (M.P.)

For Applicant	:	Mr. Manish Yadav,
For Respondent(s)	:	Ms. Mamta Shandilya, G.A.

ORDER

Indore: Date: 20.10.2021 :

This is first bail application filed by the applicant under Section 439 of Cr.P.C.,1973 for grant of bail in connection with Crime No.360/2021 registered at police station- Gandhinagar, District-Indore (M.P.) for the offence punishable under section 14 of the National Security Act,1990. The applicant is in custody since 14/09/2021.

2. As per prosecution story, by an order passed by the competent authority under National Security Act this applicant was externed for a period of three months w.e.f. 12.08.2021. During this period he was found within the territory of Indore district and accordingly he was arrested on 14.09.2021 since then he is in jail.

3. Learned counsel for the applicant submits that this applicant came in the jurisdiction of Indore in order to challenge the externment order. His father is a handicap. Although he is facing the trial in 14 cases but he has not been convicted so far. The maximum sentence is of three months for violation of the act.

4. Learned Govt. Advocate for the respondent/State opposes the

bail application.

5. Considering the facts and circumstances of the case, without commenting on the merits of the case, the application filed by the applicant is allowed. The **applicant-Raja@Rajdeep**, is directed to be released on bail on his furnishing a personal bond in the sum of **Rs.40,000/- (Rupees Forty Thousand Only)** with one solvent surety of the like amount to the satisfaction of the trial Court for his regular appearance before the trial Court during the trial with a condition that he shall remain present before the Court concerned during the trial and shall also abide by the conditions enumerated under Section 437(3) Cr.P.C. It is made clear that in case of bail jump this order shall become ineffective.

6. The applicant is directed that after release he shall complete the remaining period of externment. The police authorities are directed to leave him out of the territory of Indore District after release from jail and if he again found violating section 14 of the National Security Act again this bail order shall be cancelled.

8. Before releasing the applicant from the custody the trial Court shall verify the criminal antecedent of the applicant and jail authorities are also directed to medically examine him in order to rule out the possibility of Covid -19 infections and shall comply with the direction given by the Hon'ble Apex Court in Writ Petition No.1/2020.

Certified copy as per rules.

(**VIVEK RUSIA**)
JUDGE

Ajit