

**IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE  
BEFORE**

**HON'BLE SHRI JUSTICE ANIL VERMA**

**ON THE 19<sup>th</sup> OF MAY, 2022**

**MISC. CRIMINAL CASE No. 21683 of 2022**

**Between:-**

**OMPRAKASH S/O DEVISINGH , AGED ABOUT 23 YEARS,  
OCCUPATION: NIL R/O VILLAGE PAHADPURA P.S.  
MANOHARTHANA (RAJASTHAN)**

**.....PETITIONER**

**(BY SHRI M.M. BOHRA, ADVOCATE)**

**AND**

**THE STATE OF MADHYA PRADESH STATION HOUSE OFFICER  
THROUGH POLICE STATION RAJGARH (MADHYA PRADESH)**

**.....RESPONDENTS**

**(BY SHRI RANJEET SEN, G.A.)**

*This application coming on this day, the court passed the  
following:*

**ORDER**

Applicant has filed this first bail application under Section 439 of the Code of Criminal Procedure, 1973. He is in Jail since 10.3.2022 in connection with Crime No. 131/2022 registered at P.S. Rajgarh District Rajgarh (M.P.) for commission of offence

punishable under Section 436, 384, 34 of IPC.

As per the prosecution story, the complainant Ranglal has lodged a complaint that Nanuram's daughter was married with the present applicant about 5 years back and the present applicant used to harass her and demanded dowry. On 20.2.2022 the complainant and one Sanjay were irrigating their land at that time applicant and his father Devsingh set the complainant's hut on fire and caused loss of Rs. 60,000/-. On the basis of the complaint a case has been registered against the present applicant.

Learned counsel for the applicant submits that applicant is innocent and he has been falsely implicated in this matter. Applicant is in jail since 10.3.2022. The investigation is over and charge sheet has been filed. Final conclusion of trial will take considerable long time. Hence, he prays that applicant be released on bail.

*Per-contra*, learned PL for respondent/State opposes the bail application and prays for its rejection by submitting that earlier two offences of similar nature have been registered against the present applicant and he is a habitual offender, hence he does not deserve for bail.

Perused the case diary as well as the impugned order of the court below.

Considering all the facts and circumstances of the case, arguments advanced by counsel for the parties, nature and gravity of allegation as also taking note of the fact that the applicant is in

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jail since 10.3.2022, investigation is over therefore, no further custodial interrogation is required and final conclusion of trial will take considerable long time, I deem it proper to release the applicant on bail.

Accordingly, without commenting on the merits of the case, the application is allowed. It is directed that the applicant be released on bail upon his furnishing a personal bond in the sum of **Rs.70,000/- (Rs. Seventy Thousand only)** with one local surety in the like amount to the satisfaction of the trial Court for his appearance before the trial Court, as and when required. He shall abide by the conditions enumerated u/S. 437(3) Cr.P.C.

C.C. as per rules.

(ANIL VERMA)  
J U D G E

BDJ