

IN THE HIGH COURT OF MADHYA PRADESH

AT INDORE

BEFORE

HON'BLE SHRI JUSTICE VIVEK RUSIA

ON THE 26th OF MAY, 2022

MISC. CRIMINAL CASE No. 23116 of 2022

Between:-

**ASLAM QURESHI S/O CHOTU QURESHI, AGED
ABOUT 25 YEARS, OCCUPATION: LABOUR, R/O
JAIL ROAD, JAORA POLICE STATION,
DISTRICT RATLAM (MADHYA PRADESH)**

.....APPLICANT

(BY SHRI R.R. BHATNAGAR, ADVOCATE)

AND

**THE STATE OF MADHYA PRADESH STATION
HOUSE OFFICER THROUGH POLICE STATION
JAORA CITY. DISTRICT RATLAM (MADHYA
PRADESH)**

.....RESPONDENTS

(BY SHRI GOVIND PAL PUROHIT, ADVOCATE)

MISC. CRIMINAL CASE No. 9958 of 2022

Between:-

**SAJID S/O RAFIQ KHA, CASTE- MUSLIM, AGED
ABOUT 30 YEARS, OCCUPATION: LABOR R/O
JAIL ROAD, JAORA P.S. JAORA, RATLAM
(MADHYA PRADESH)**

.....APPLICANT

(BY SHRI RITU RAJ BHATNAGAR, ADVOCATE)

AND

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

.....RESPONDENTS

**(BY SHRI GOVIND PAL PUROHIT ADVOCATE, SHRI ANUBHAV
UPADHAYA/COMPLAINANT)**

MISC. CRIMINAL CASE No. 24762 of 2022

Between:-

SAJID KHA S/O SHERU KHA , AGED ABOUT 19 YEARS, OCCUPATION: LABOUR, R/O ARAB SAHAB COLONY JAWARA , DISTRICT RATLAM (MADHYA PRADESH)

.....APPLICANT

(BY BUSHRA KHAN, ADVOCATE)

AND

THE STATE OF MADHYA PRADESH STATION HOUSE OFFICER THROUGH POLICE STATION JAWARA SHAHAR, DISTRICT RATLAM (MADHYA PRADESH)

.....RESPONDENTS

(BY SHRI GOVIND PAL PUROHIT, ADVOCATE)

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

O R D E R

These are the first bail applications under Section 439 of Cr.P.C. in connection with the Crime No.357/2021 registered at Police Station-Jaora City, District Ratlam in respect of offence under Section 147, 148, 149, 323, 324, 336, 427, 452, 506 & 307 of I.P.C.

As per prosecution story, an FIR has been lodged by the complainant Wazid Noor Khan on 15.10.2021 that accused persons have obstructed them from offering the Namaz in mosque. They were compelled him and his family member to offer the Namaz in his house. When they were offering the Namaz in his house at that time applicants and other accused persons came to his house and assaulted them by means of stick due to which Moh. Arif Mansoori, Moh. Ismail Ansari, Amzad Khan, Moh. Azam Khan and other family members have sustained injuries. Accordingly, FIR has been registered as many as 15 persons.

Learned counsels for the applicants jointly submit that the injuries are simple in nature. They are in custody since 15.10.2021. Investigation is over, charge-sheet has been filed. Since they are same community therefore, compromise have been arrived at the instance of elder members of community.

Learned Government Advocate opposes the applications by submitting that Moh. Arif sustained multiple fracture by means of stick, hence, applicants are not entitled for grant of bail.

Considering the facts and circumstances of the case but without commenting on the merit of the case, the application is allowed and applicants namely **ASLAM QURESHI, SAJID S/O RAFIQ KHA and SAJID KHA S/O SHERU KHA** are directed to be released on bail upon their furnishing personal bond in the sum of **Rs.40,000/- (Rupees Forty Thousand only) each** with surety in the like amount to the satisfaction of the Trial Court for their appearance before that Court during the pendency of trial and shall also abide by the conditions enumerated under section 437(3) Cr.P.C.

Office is directed to place the photocopy of this order in connected bail applications.

C.c as per rules.

**(VIVEK RUSIA)
V. JUDGE**

praveen