

**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. 24489 of 2022**

**Between:-**

**ISHWAR S/O MADANLAL , AGED ABOUT 27 YEARS,  
OCCUPATION: LABOR R/O GRAM NIPANIYA BAIZNATH THANA  
AGAR (MADHYA PRADESH)**

**.....PETITIONER**

**(BY SHRI C.P. PUROHIT, ADVOCATE)**

**AND**

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

**.....RESPONDENTS**

**(BY SHRI RAJESH JOSHI, 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 22.4.2022 in connection with Crime No. 235/22 registered at P.S. Agar District Shajapur (M.P.) for commission of offence punishable under Section 452, 323, 294, 506 of IPC.

As per the prosecution story, on 14/4/2022, when the complainant was in her home with her brother Abhishek at that time present applicant entered into her home and slapped to the complainant and tied her hands and abused her. Thereafter when Abhishek came there the applicant fled away from the spot. Accordingly offence has been registered.

Learned counsel for the applicant submits that applicant is innocent and he has been falsely implicated in this matter. He submits that investigation is over and charge sheet has been filed and no further custodial interrogation is required. Applicant is in jail since 22.4.2022. He is a permanent resident of District Agar. He submits that except offence under Section 452 of IPC all other offences are triable by JMFC and bailable in nature. 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.

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 except offence under Section 452 of IPC all other offences are triable by JMFC and bailable in nature, 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.75,000/- (Rs. Seventy Five Thousand only)** with one solvent 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.

Before releasing the applicant from the custody, the Jail Authorities are directed to medically examine him in order to rule out the possibility of Covid-19 infections and shall comply with the directions issued by the Hon'ble Apex Court in W.P.No. 01/2020.

C.C. as per rules.

(ANIL VERMA)  
J U D G E