

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

BEFORE

HON'BLE SHRI JUSTICE PREM NARAYAN SINGH

ON THE 10th OF JUNE, 2024

MISC. CRIMINAL CASE No. 23937 of 2024

BETWEEN:-

**RAHUL MEDA S/O MADIYA MEDA, AGED ABOUT 19
YEARS, OCCUPATION: NIL KOTDA, DIST. JHABUA
(MADHYA PRADESH)**

.....APPLICANT

(BY SHRI AMIT RAJ - ADVOCATE THRU.V.C.)

AND

- 1. THE STATE OF MADHYA PRADESH STATION
HOUSE OFFICER THROUGH POLICE STATION
CIVIL LINES, DISTRICT DEWAS (MADHYA
PRADESH)**
- 2. VICTIM X THROUGH P.S. CIVIL LINES DIST.
DEWAS (MADHYA PRADESH)**

.....RESPONDENTS

(BY SHRI SANTOSH THAKUR - GOVT. ADVOCATE)

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

ORDER

Heard and perused the record.

2. This is first bail application filed on behalf of the applicant under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail relating to Crime No.365/2023, registered at Police Station-Civil Line, District Dewas (M.P.) for offence under Sections 376, 376(D), 506, 376(3), 450 of IPC, 1860 and Section 5(g)/6 and 5-J(ii) of Protection of Children from Sexual Offences

Act, 2012. The applicant is in custody since 10.09.2023.

3. As per the prosecution story, the allegation against the applicant is that he committed rape upon the prosecutrix.

3. Learned counsel for the applicant submits that the applicant is an innocent person and has falsely been implicated in this case. It is submitted that the statements of the mother of the prosecutrix and mother in law of the prosecutrix has been recorded but contradictory regarding the age of the prosecutrix. The allegation is recording video is true but video has not been presented before the Court. The applicant is in jail since 10.09.2023. Conclusion of trial will take a sufficient long time. Under these circumstances, counsel prays for grant of bail to the applicant.

4. Learned counsel for the State has opposed the application and prayed for its rejection.

5. Looking to the facts and circumstances of the case and custody period of the applicant, I am of the view that it is a case in which applicant may be released on bail. Consequently, without commenting on the merits of the case, first bail application under Section 439 of the Code of Criminal Procedure for grant of bail filed on behalf of applicant, stands **allowed**.

6. It is directed that applicant be released on bail on his furnishing a 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 trial Court, for his regular appearance before the trial Court during trial with a condition that he shall remain present before the concerned Court on all the dates fixed by it during trial. He shall abide by all the conditions enumerated under Section 437(3) of Cr.P.C.

7. This order shall be effective till the end of the trial. However, in case of

bail jump and breach of any of the conditions of bail, it shall become ineffective.

Certified copy as per rules.

**(PREM NARAYAN SINGH)
V. JUDGE**

Shilpa

