

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

BEFORE

HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA

ON THE 10th OF JULY, 2024

MISC. CRIMINAL CASE No. 28728 of 2024

RENU

Vs

THE STATE OF MADHYA PRADESH

Appearance:

(SHRI SALONI BAHETI, LEARNED COUNSEL FOR THE APPLICANT)

***(SHRI MUKESH SHARMA, LEARNED PUBLIC PROSECUTOR FOR THE
STATE)***

ORDER

This is second application filed under Section 439 Cr.P.C. for grant of regular bail relating to FIR/Crime No.103/2024 dated (not mentioned) registered at police station Madhavnagar, District Ujjain (M.P.) for commission of offence punishable under Sections 366, 328, 506/34 of IPC. The earlier application was temporary bail application.

2. Counsel for the applicant submits that identically placed co-accused Nirmal has been granted bail by this Court in MCRC No.24103/2024 by order dated 20.06.2024. The investigation is completed and the charge-sheet has been filed. It is further argued that her case is on better footing as there is no allegation against the present applicant that she had accompanied the prosecutrix to the college. She is room mate of the prosecutrix. He prays for enlarging the applicant on bail.

3. As per prosecution story, on 22.02.2024 the prosecutrix lodged a report that on 16.02.2024 at about 12:00 in the afternoon, when she had left her hostel for college with her friend Pramila and applicant came on motorcycle

near Freeganj and told her that Arjun had met with an accident. The Prosecutrix, upon hearing the information about the accident, had gone to tower chouraha on the motorcycle but found Arjun to be well upon reaching.

4. It is further alleged that Arjun made her drink water and the prosecutrix after consuming water, started loosing her conscious, she started feeling drizzy. It is further alleged that Subhash and Pramila forcibly made her sit on motorcycle and had taken her to Chintaman Ganesh Mandir, where Pramila made her wear a saree. The prosecutrix further alleged that when she regained conscious, she was told about her marriage with Arjun. The Prosecutrix thereafter had gone to her parents house and without informing about the incident to the family members, the prosecutrix consumed poisonous substance, due to which she had to be admitted to the hospital. Upon discharge, the prosecutrix lodged a report. The police upon such report, registered a crime and arrested the applicant.

5. Learned counsel for the respondent/state opposed the application.

6. After considering the facts and circumstances of the case, the role attributed to the applicant and looking to the fact that co-accused has been granted bail under similar circumstances, prima facie case is made out for grant of bail. Therefore, without expressing any view on the merits of the case, the application is allowed.

7. It is directed that applicant shall be released from custody upon furnishing a personal bond of Rs.50,000/- (Rupees Fifty Thousand Only) with one surety of the like amount to the satisfaction of the court below. The applicant shall abide the conditions enumerated under section 437(3) of the Cr.P.C.

soumya

