

# The High Court Of Madhya Pradesh

MCRC-42187-2020

(RAJENDRA @ RAJU Vs THE STATE OF M.P.)

**Jabalpur, Dated : 25-11-2020**

**Heard through Video Conferencing.**

Shri Bhupendra Shukla, learned counsel for the applicant.

Shri Devendra Shukla, learned P.L. for the respondent-State.

Case diary perused.

This is first application under Section 439 of the Cr.P.C. for grant of bail. Applicant Rajendra @ Raju was arrested on 06/06/2020 in connection with Crime No.82/2006 registered at Police Station Baheriya, District Sagar for the offences punishable under Sections 457, 380 of the IPC.

It appears from the record that the applicant is facing trial in Criminal Case No.3196/2006, which is pending before the learned J.M.F.C., Sagar registered for the offence punishable under Sections 457, 380 of the IPC. Earlier the applicant has been granted bail by the trial Court, but during trial on 11/06/2019 applicant did not appear before the trial Court. On that learned trial Court forfeited his bail bond and issued arrest warrant against the applicant for securing his presence before the trial Court and thereafter on 16/12/2019 trial Court declared the applicant absconder and issued perpetual arrest warrant against the applicant. In compliance of that perpetual arrest warrant Police arrested the applicant on 06/06/2020 and produced him before the Court. On that learned Lower Court sent him into judicial custody and since then the applicant is in judicial custody. Earlier applicant also filed bail application before the Sessions Court, which was rejected.

Learned counsel for the applicant submitted that due to some unavoidable circumstance the applicant could not appear before the trial Court on the date fixed for his appearance. The applicant has been in custody since 06/06/2020 and conclusion of trial will take time, hence it is prayed that the applicant be enlarged on bail.

Learned counsel for the State opposed the prayer.

Looking to the facts and circumstances of the case and as to the fact that the applicant is in custody since 06/06/2020, so he learnt the lesson and is unlikely to hinder the progress of the trial again, so without commenting anything on the merits of the case, the application is allowed. It is directed that the applicant shall be released on bail upon his furnishing 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.

This order will remain operative subject to compliance of the following conditions by the applicant;

1. The applicant will comply with all the terms and conditions of the bond executed by him;

2. The applicant will cooperate in the trial.

3. The applicant will not indulge himself in extending inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade them from disclosing such facts to the Court or to the Police Officer, as the case may be;

4. The applicant shall not commit an offence similar to the offence of which he is accused;

5. The applicant will not seek unnecessary adjournments during the trial; and

6. The applicant will not leave India without prior permission of the trial Court.

Certified copy as per rules.

**(RAJEEV KUMAR DUBEY)**  
**JUDGE**

VS