

**IN THE HIGH COURT OF JUDICATURE FOR MADHYA PRADESH
AT JABALPUR**

BEFORE

HON'BLE SHRI JUSTICE SHEEL NAGU

ON THE 13TH OF MAY, 2022

MCRC NO.20846 OF 2022

Between:-

**MAHIMA ADIWASI W/O RAJVENDRA
KOL, AGED ABOUT 25 YEARS,
OCCUPATION: SALESMAN R/O VILLAGE
HARDOLI PS PANVAR, DISTRICT REWA
(M.P.)**

.....APPELLANT

(BY SHRI K.D. SINGH, ADVOCATE)

AND

**THE STATE OF MADHYA PRADESH
THROUGH POLICE STATION PANVAR
DISTRICT REWA (M.P.)**

.....RESPONDENT

(SHRI AJAY SHUKLA, GOVERNMENT ADVOCATE.)

*This appeal coming on for admission this day, the Court passed
the following:*

ORDER

Case diary is perused.

Learned counsel for the rival parties are heard.

This is first application u/S.438 of Cr.P.C. for grant of anticipatory bail by the petitioner.

Petitioner apprehends arrest in connection with offence punishable u/Ss. 409 r/w 34 of IPC and Section 3/7 of Essential Commodities Act registered as Crime No.45/2021 by Police Station Panvar, District Rewa (M.P.) in respect of offence of breach of trust and breach of order passed under the Essential Commodities Act.

Learned counsel for the State opposed the application and prayed for its rejection by contending that on the basis of the allegations and the material available on record, no case for grant of anticipatory bail is made out.

Petitioner is salesman of fair price shop, who along with other co-accused is alleged with failing to reach the necessary essential commodities to the end user from the Fair Price Shop run by the Society.

Arrest may entail serious adverse consequences on the service condition of the petitioner.

Considering the above and that the material placed on record does not disclose the possibility of petitioner fleeing from justice, this Court is inclined to extend the benefit of bail to the petitioner but with

certain stringent conditions in view of the nature of the offence.

Accordingly, without expressing any opinion on merits of the case, I deem it appropriate to allow this application u/S.438 of Cr.P.C. in the following terms.

It is hereby directed that in the event of arrest, the petitioner shall be released on bail on furnishing a personal bond in the sum of **Rs. 25,000/- (Rs. Twenty Five Thousand only)** with two solvent sureties of the like amount to the satisfaction of the Arresting Authority.

This order will remain operative subject to compliance of the following conditions :-

1. The petitioner will comply with all the terms and conditions of the bond executed by him;
2. The petitioner will cooperate in the investigation/trial, as the case may be;
3. The petitioner will not indulge herself in extending inducement, threat or promise to any person acquainted with the facts to the case so as to dissuade her from disclosing such facts to the Court or to the Police Officer, as the case may be;
4. The petitioner shall not commit an offence similar to the

offence of which she is accused;

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

6. The petitioner will not leave India without prior permission of the concerned available Magistrate/Investigating Officer, as the case may be;

7. The petitioner shall mark her appearance before the concerned Police Station once in a week till conclusion of Investigation.

A copy of this order be sent to the court below for information.

Certified copy as per rules.

(Sheel Nagu)
Judge

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