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

**BEFORE
HON'BLE SHRI JUSTICE DINESH KUMAR PALIWAL
ON THE 10th OF AUGUST, 2022**

MISC. CRIMINAL CASE No. 26059 of 2022

Between:-

**RAJJU @ SURENDRA LODH S/O SHRI
CHANDRAPAL LODH, AGED ABOUT 32 YEARS,
OCCUPATION: LABOUR VILLAGE NAIKAYIN
POLICE STATION DHARAMPUR DIST. PANNA
MP (MADHYA PRADESH)**

.....PETITIONER

(BY MS. SAVITA CHOUDHARY, ADVOCATE)

AND

**THE STATE OF MADHYA PRADESH THOROUGH
POLICE STATION DHARAMPUR DIST. PANNA
MP (MADHYA PRADESH)**

.....RESPONDENTS

(BY SHRI RAVINDRA SHUKLA, LEARNED PANEL LAWYER)

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

ORDER

This first bail application is filed on behalf of the applicant-Rajju alias Surendra Lodh under Section 439 of the Code of Criminal Procedure.

The applicant is in custody since 22.04.2022 in connection with Crime No.226/2022 registered at P.S.-Dharampur, District-Panna (M.P.) for the offence punishable under Sections 457 and 380 of IPC.

As per the prosecution story, on 04.12.2020 Ramlakhan Pandey resident of Narayanpur P.S. Dharampur lodged an FIR stating that someone trespassed in his house and stole one mangalsutra, golden chain and one ring finger worth

of Rs. 60,000/-. Applicant was arrested and stolen articles have been seized from his possession.

Learned counsel for the applicant submitted that applicant has not committed any offence. He has been falsely implicated. He is innocent. Only Rs. 500/- has been seized from his possession. Trial of the case will take time. Therefore, it has been prayed that the applicant be released on bail, pending the trial.

On the other hand, learned Panel Lawyer has opposed the grant of bail to the applicant and has submitted that applicant is having a criminal background, therefore, the bail application of the applicant be dismissed.

After investigation, charge-sheet has been filed. Matter is triable by JMFC. Trial of the case will take considerable time. Applicant is in jail since 22.04.2022. Therefore, without expressing any opinion on the merits of the case, I am of the view that it is a case in which further pre trial detention of the applicant-accused is not warranted. Consequently, first bail application under Section 439 of the Code of Criminal Procedure for grant of bail filed on behalf of applicant-Rajju alias Surendra Lodh stands **allowed**.

It is directed that **applicant-Rajju alias Surendra Lodh** 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.

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.

(DINESH KUMAR PALIWAL)
JUDGE

kundan

