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

**BEFORE
HON'BLE SHRI JUSTICE VISHAL MISHRA
ON THE 2nd OF DECEMBER, 2022**

MISC. CRIMINAL CASE No. 45820 of 2022

BETWEEN:-

**AKASH AHIRWAR, S/O SHRI NATHU AHIRWAR, AGED
ABOUT 28 YEARS, OCCUPATION: PRIVATE JOB, R/O
NEAR MASJID, BHIM WARD, POLICE STATION BINA,
TEHSIL BINA, DISTRICT SAGAR (MADHYA PRADESH)**

.....APPLICANT

(BY SHRI AMIT JAIN - ADVOCATE)

AND

**THE STATE OF MADHYA PRADESH, THROUGH G.R.P.,
BINA, DISTRICT SAGAR (MADHYA PRADESH)**

.....RESPONDENT

(BY SHRI ANIL UPADHYAY - PANEL LAWYER)

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

ORDER

This is the first bail application under Section 439 of Cr.P.C filed by the applicant for grant of bail.

The applicant has been arrested on 22.08.2022 by Police Station G.R.P., Bina, District Sagar in connection with Crime No.26 of 2022 for the offence punishable under Sections 420, 467, 468 and 471 of the Indian Penal Code.

It is pointed out that the applicant has been falsely implicated in the case and he has not committed any offence in any manner. It is submitted that the investigation is complete and the charge-sheet has been filed in the matter before the trial Court on 18.11.2022. It is further submitted that the applicant is in

custody since 22.08.2022. There is no further requirement of custodial interrogation of the present applicant. He is ready to abide by all terms and conditions that may be imposed by this Court while considering his bail application. On these grounds, he prays for grant of bail.

Per contra, learned counsel appearing for the State has vehemently opposed the contentions stating therein that are specific allegation against the present applicant. He further contended that there is criminal antecedents of the applicant. One case for the offence under Section 380 of IPC was registered against him. However, the State counsel could not dispute the filing of charge-sheet against the applicant.

Considering the overall facts and circumstances of the case, without commenting upon the merits of the case, this Court deems it appropriate to allow this application. Accordingly, the application is allowed. He is directed to be released on bail on furnishing surety bond of **Rs.50,000/- (Rupees Fifty Thousand Only)** with one local surety in the like amount to the satisfaction of trial Court.

It is also directed that the applicant shall comply with the conditions as enumerated under Section 437(3) Cr.P.C.

In view of the outbreak of 'Corona Virus disease (COVID-19)' the concerned jail authorities are directed to follow the directions/guidelines issued by the Government with regard to 'COVID-19' before releasing the applicant.

This order shall remain effective till the end of the trial but in case of bail jump and breach of any of the pre-condition of bail, it shall become ineffective and cancelled without reference to this Bench.

In case, if the applicant found indulged in any other criminal case in

future, the benefit of bail as extended by this Court shall automatically cancelled.

Application stands **allowed**.

Certified copy as per rules.

(VISHAL MISHRA)
JUDGE

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