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

**BEFORE  
HON'BLE SHRI JUSTICE VISHAL DHAGAT  
ON THE 25<sup>th</sup> OF JANUARY, 2024**

**MISC. CRIMINAL CASE No. 47786 of 2023**

**BETWEEN:-**

**SUDHAKAR UDAWANT RAO S/O GANGADHAR RAV,  
AGED ABOUT 51 YEARS, REISENT 04 SUPARI HANUMAN  
ROAD, GULMANDI, ORANGABAD (MAHARASHTRA)**

**.....APPLICANT**

**(BY SHRI RAJIV JAIN - ADVOCATE)**

**AND**

**THE STATE OF MADHYA PRADESH THROUGH POLICE  
STATION GORAKHPUR, DISTRICT JABALPUR (MADHYA  
PRADESH)**

**.....RESPONDENT**

**(BY SHRI AKSHAY NAMDEO - GOVT. ADVOCATE FOR  
RESPONDENT/STATE AND SHRI RUDRA PRATAP THAKUR - ADVOCATE  
FOR OBJECTOR)**

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

**ORDER**

Applicant has filed an application for change of counsel i.e. I.A.  
No.1893/2023.

2. For the reasons stated in the application, **I.A. N.1893/2024** is  
**allowed**. Newly engaged counsel is permitted to argue the case.

3. This is repeat (third) application filed under Section 439 of Cr.P.C.  
on behalf of applicant, who is in jail since 09.01.2023 in connection with Crime  
No.712/2022, registered at Police Station Gorakhpur, District Jabalpur (M.P.)

for the offence punishable under Sections 420, 467, 120-B and 34 of the IPC.

4. Learned counsel appearing for the applicant submitted that co-accused in the case namely Abhijeet Sudhakar Uddawant and Anant Sudhkakar Udawant were released on bail vide order dated 19.01.2024 on condition of deposit of 50% of defalcated amount Rs.28,25,000/-. It is submitted that applicant is also ready to deposit 50% of defalcated amount. If said amount is not deposited then applicant may be arrested again and sent to jail. In these circumstance, applicant may be enlarged on bail.

5. Learned counsel appearing for the State as well as counsel for the objector have opposed the bail application.

6. Heard learned counsel for the parties.

7. Applicant under protest is ready to deposit 50% amount i.e. Rs.14,00,000/- of the defalcated amount.

8. Considering the aforesaid submissions made by counsel for the applicant, bail application filed by the applicant is **allowed on condition that applicant will deposit 50% amount i.e. Rs.14,12,500/- of the defalcated amount of Rs.28,25,000/- (Rupees Twenty Eight Lakhs and Twenty Five Thousands) before the trial Court.**

9. It is directed that the applicant shall be released on bail **on depositing Rs.7,00,000/- (Rupees Seven Lacs only) before the trial Court under protest** on his furnishing personal bond in the sum of **Rs. 1,00,000/- (Rupees One Lakh only)** with two solvent sureties in the like amount to the satisfaction of the trial Court **and rest of the amount i.e. Rs.7,00,000/- will be deposited within a period of six months.** If the said amount is not deposited by the applicant then bail granted to him shall stand cancelled and he may be sent to jail.

10. In addition to that the applicant shall also abide by the conditions enumerated in Section 437 (3) of Cr. P. C..
11. Certified copy as per rules.

**(VISHAL DHAGAT)**  
**JUDGE**

sp/-

