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

**BEFORE
HON'BLE SHRI JUSTICE SHEEL NAGU,
ACTING CHIEF JUSTICE**

ON THE 14th OF JUNE, 2024

MISC. CRIMINAL CASE No. 24113 of 2024

SANTOSH RAJPUT

..... PETITIONER

VERUS

STATE OF M.P.

.....RESPONDENT

Appearance :

Shri Sunil Kumar Mishra – Advocate for the petitioner.

Shri Sunil Rao – Panel Lawyer for the respondent/State.

ORDER

Case diary is perused.

Learned counsel for the rival parties are heard.

This is first application filed u/S.439 of Cr.P.C. by the petitioner for grant of bail.

The petitioner has been arrested on 16.05.2024 by Police Station Orchha, District Niwadi (MP) in connection with Crime No.57/2024 registered in relation to offences punishable u/S. 376, 506 of IPC.

Though, offence of rape is alleged against the petitioner, but the allegation against him is that 2-3 years back, the

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prosecutrix who is a married widow lady developed liking for each other. Promise was extended by petitioner that he would marry the prosecutrix. In the last two years, both entered into physical relationship several times. Now, when the petitioner resiled from his earlier promise, prosecutrix has lodged the FIR and as such, offence of rape as well as criminal intimidation is registered.

Since the offence primarily arises out of breach of promise to marry, this Court is inclined to extend the benefit of bail to the petitioner, especially when charge-sheet has already been filed on 28.05.2024.

Accordingly, without expressing any opinion on merits of the case, this application is **allowed** and it is directed that **Petitioner- Santosh Rajput** be released on bail on furnishing a personal bond in the sum of **Rs.50,000/- (Rs. Fifty Thousand only)** with two solvent sureties of the like amount to the satisfaction of concerned Trial Court.

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

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

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

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

6. The petitioner will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be.

7. The petitioner shall mark his appearance before the Trial Court once in a fortnight till conclusion of trial.

A copy of this order be sent to the Court below for compliance.

Certified copy as per rules.

(Sheel Nagu)
Acting Chief Justice

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