

-1-

**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. 24353 of 2024

HARESH @ HARISH CHOUDHARY AND OTHERS

..... PETITIONERS

VERUS

STATE OF M.P.

.....RESPONDENT

Appearance :

Shri Rajendra Yadav – Advocate for the petitioners through video conferencing.

Shri Surdeep Khampariya – 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 petitioners for grant of bail.

The petitioners have been arrested on 23.05.2024 by Police Station Kurai, District Seoni in connection with Crime No.215/2024 registered in relation to offences punishable under

-2-

Sections 4, 6, 9 of M.P. Govansh Vadh Pratishedh Adhiniyam, 2004 and Sections 10, 11 of Cruelty to Animal Act and Sections 6, 7, 10, 11 of M.P. Pashu Sanrakshan Adhiniyam, Section 11 of M.P. Prevention of Cruelty to Animal Act.

The petitioners who have no criminal antecedent as per the case diary are alleged with cruelty towards animal and are in custody since 23.05.2024. As per the statement of learned counsel for the petitioners, charge-sheet has been filed today.

Considering the totality of circumstances of the case and the fact that petitioners have no criminal antecedent, this Court is inclined to release the petitioners on bail.

Accordingly, without expressing any opinion on merits of the case, this application is **allowed** and it is directed that **Petitioners No.1 Hareh @ Harish Choudhary, Petitioner No.2 Santosh Lodha and Petitioner No.3 Mohd. Sarik** be released on bail on furnishing a personal bond in the sum of **Rs.50,000/- (Rs. Fifty Thousand only) each** 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 petitioners :-

1. The petitioners will comply with all the terms and conditions of the bond executed by him;
2. The petitioners will cooperate in the trial ;
3. The petitioners will not indulge themselves 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

-3-

facts to the Court or to the Police Officer, as the case may be;

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

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

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

7. The petitioners 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

ak