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MCRC-38162-2024

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE VISHAL MISHRA

ON THE 12th OF SEPTEMBER, 2024MISC. CRIMINAL CASE No. 38162 of 2024*RAJKUMAR SINGH GOND**Versus**THE STATE OF MADHYA PRADESH*

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Appearance:

Shri P.K. Verma - Advocate for applicant.

Shri Jubin Prasad - Panel Lawyer for respondent/State.

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ORDER

This is the second application filed by the applicant under Section 439 of the Code of Criminal Procedure for grant of regular bail relating to Crime No.11 of 2024 registered at Police Station Jamodi, District Sidhi (M.P.) for the offence under Sections 195-A, 294 and 506 of the Indian Penal Code. His first application was dismissed as withdrawn vide order dated 08.07.2024 passed in M.Cr.C.No.26662 of 2024.

2. 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 further pointed out that the statements of material witnesses have already been recorded before the trial in the previous case and, therefore, there is no possibility of tempering with the prosecution evidence. The applicant is in custody since 08.06.2024. The charge-sheet has been filed in the matter. There is no further requirement of custodial interrogation of the present applicant in the matter. He is ready to abide by all the terms and conditions that may be imposed by this Court while considering the bail application. On these grounds, he prays for grant of bail.



3. Per contra, learned counsel appearing for the State has vehemently opposed the application pointing out the fact that after releasing the applicant on bail in the previous case registered for the offences under Sections 302 and 201 of the Indian Penal Code pending in S.T.No.169 of 2023, the applicant has given threatening to the complainant on the basis of a complaint, the present offence has been registered. It is a serious offence. He has prayed for dismissal of the application. However, he could not dispute the fact of filing of charge sheet in the matter.

4. Considering the overall facts and circumstances of the case and without commenting upon the merits of the case, this Court deems it appropriate to allow this application. Accordingly, the application is allowed. The applicant is directed to be released on bail on furnishing personal 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) of Cr.P.C.

5. 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.

6. In the event of involvement of the applicant in any other offence in near future, the bail granted by this Court shall stand rejected automatically.

7. The application is accordingly **allowed**.

(VISHAL MISHRA)
JUDGE