

(2024) 04 MP CK 0121

In the Madhya Pradesh High Court

Case No : Criminal Appeal No. 3951 Of 2024

Aashu @ Ashish

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 16-04-2024

Acts Referred:

Scheduled Caste And Scheduled Tribe (Prevention Of Atrocities) Act, 1989 — Section 3(2)(v), 3(2)(va), 14A(2)
Indian Penal Code, 1860 — Section 34, 148, 149, 294, 302, 323, 324, 506

Citation : (2024) 04 MP CK 0121

Hon'ble Judges : Vijay Kumar Shukla, J

Bench : Single Bench

Advocate : Abhishek Rathore, Ajay Raj Gupta, Ravi Sagre

Final Decision : Allowed/Disposed Of

Judgement

Vijay Kumar Shukla, J

1. This is second application under Section 14(A)2 of the SC/ST (PA) Act filed on behalf of the appellant for grant of temporary bail on the ground of ailment of wife of the appellant who is suffering from umbilical Hernia and requires surgery. He is in custody in connection with Crime No.437/2021 registered at Police Station Neelganga, district Ujjain (M.P.) for the offence under Sections 148, 302, 149, 323, 324, 294, 506, 34 of IPC and section 3(2) (v), 3(2)(va) of SC/ST Act, 1989.

2. Counsel for the State was granted time to verify the documents filed by the appellant.

3 . On verification, counsel for the State submits that it has been found that wife of appellant is suffering from the said issue and Doctor has advised for operation but no date is fixed for operation.

4. After hearing learned counsel for parties and taking into consideration the statement of counsel for State, I am of the view that the appellant is entitled for

grant of temporary bail for a period of 30 days from the date of his release so as to enable him to make necessary arrangements for operation and care of wife, upon furnishing a personal bond of Rs.50,000/- (Rupees Fifty Thousand Only) with one surety of the like amount to the satisfaction of the Court below on the condition that the appellant shall surrender before the concerned Court immediately after expiration of 30 days. In case if he fails to surrender on the expiration of 30 days from the date of release, the concerned Court shall take necessary steps to arrest the applicant in accordance with the law.

5. A typed copy of this order is being forwarded to the Office of the Advocate General, on their email address, for intimation to the Police Station concerned. The office is requested to forward a copy of this order to the court below.

With the aforesaid, Cr.Appeal is allowed and disposed off. CC today.