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**(2020) 10 MP CK 0175**

**In the Madhya Pradesh High Court**

**Case No : Miscellaneous Criminal Case No. 2988 Of 2020**

Bachchalal @ Billu Mavasi

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

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**Date of Decision : 16-10-2020**

**Acts Referred:**

Code Of Criminal Procedure, 1973 — Section 439  
Indian Penal Code, 1860 — Section 34, 304B, 498A  
Dowry Prohibition Act, 1961 — Section 3, 4

**Citation : (2020) 10 MP CK 0175**

**Hon'ble Judges : Vijay Kumar Shukla, J**

**Bench : Single Bench**

**Advocate : Uday Raj Mishra, Shivam Hazare**

**Final Decision : Disposed Of**

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## **Judgement**

Vijay Kumar Shukla, J

On account of prevailing conditions worldwide brought about by the COVID-19 virus, the appeal has been heard through video conferencing in order to maintain social distancing. The necessary parties have effectively been represented by their respective counsel via video conferencing.

Heard and perused the record.

This is first application under Section 439 of the Cr.P.C. filed on behalf of the applicant in connection with Crime No96/2019 registered at Police Station-Baroundha, District Satna (M.P.) under Sections 498A, 304B and 34 of IPC & 3/4 of Dowry Prohibition Act.

Learned counsel for the applicant submits that there are general allegations of demand of dowry and cruelty against the present applicant along with the mother-in-law of the deceased. It is further submitted that the mother-in-law has already been granted bail by the trial Court. On reading the statement of father of the deceased, prima facie, it is established that the allegations against

the present applicant and mother-in-law of the deceased are similar of demand of dowry and cruelty.

In view of the whereof and taking into consideration the fact that the applicant is in jail since 14.11.2019 and the investigation has already been completed, I am of the view that the applicant is entitled for grant of bail. Therefore, the application is allowed.

It is directed that Applicant-Bachchalal @ Billu Mavasi shall be released from custody 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 Ld. Court below.

The prison authorities are also requested to ensure compliance with the order passed by the Supreme Court in Writ Petition No. 1/2020 and ensure, that the Applicant is examined by the jail doctor before his release. If the Applicant show symptoms of COVID-19, the doctor shall forthwith direct him to be produced before the appropriate hospital designated for the detection and treatment of COVID-19 patients. If the doctor is of the opinion that the Applicant is not affected with the virus, the jail authorities shall ensure his transportation from the jail till his place of residence.

With the above the application is finally disposed of.

It is further made clear that if it is found that the applicant is involved in any other case during the trial, this bail order shall stand cancelled automatically without reference to the Court and the Police will be at liberty to arrest the applicant.

A typed copy of this order is being forwarded to the Office of the Advocate General and Shri Shivam Hazare, learned Panel Lawyer, on their email address, for intimation to the Police Station concerned.

The office is requested to forward a copy of this order to the Ld. Court below.

Certified copy as per rules.