

(2024) 06 MP CK 0039

In the Madhya Pradesh High Court

Case No : Miscellaneous Criminal Case No. 23786 Of 2024

Dalveer Bahadur Shah

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 14-06-2024

Acts Referred:

Code of Criminal Procedure, 1973 — Section 439
Indian Penal Code 1860 — Section 409, 420, 120B, 34

Citation : (2024) 06 MP CK 0039

Hon'ble Judges : Sheel Nagu, J

Bench : Single Bench

Advocate : Abhinav Shrivastava, Amit Mishra

Judgement

Case diary is perused.

Learned counsel for the rival parties are heard.

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

The petitioner has been arrested on 20.05.2024 by Police Station Shahpur, District Dindori in connection with Crime No.259/2023 registered in relation to offences punishable u/S.409, 420, 120-B and 34 of the IPC.

Learned counsel for the State opposed the application and prayed for its rejection by contending that on the basis of the allegations and the material available on record, no case for grant of bail is made out.

It is submitted by the learned counsel for the petitioner that coaccused Digambar Singh has been extended the benefit of bail vide order dated 03.06.2024 in M.Cr.C. No.23203/2024. The learned counsel for the State submits that there is no dispute that the case is not much different from the case of Digambar Singh.

Accordingly, without expressing any opinion on merits of the case, this Court is inclined to grant bail to the petitioner subject to certain conditions.

Accordingly, it is directed that Petitioner- Dalveer Bahadur Shah be released on bail on furnishing a personal bond in the sum of Rs.2,00,000/- (Rs. Two Lacs 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 herself 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;
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 at the local police station within which his residence falls once in every month and in case of any absence on any occasion, the police shall report the matter to the concerned Trial Judge who shall be free to cancel the bail granted to the petitioner by this Court without referring the matter to this Court.

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

Certified copy as per rules.