

**(2021) 06 MP CK 0155**

**In the Madhya Pradesh High Court**

**Case No : Miscellaneous Criminal Case No.30401 Of 2021**

Gopal S/O Laxmichand Meena

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

**Date of Decision : 22-06-2021**

**Acts Referred:**

Code Of Criminal Procedure, 1973 — Section 437(3), 439  
Indian Penal Code, 1860 — Section 306

**Citation : (2021) 06 MP CK 0155**

**Hon'ble Judges : Subodh Abhyankar, J**

**Bench : Single Bench**

**Advocate : Vishal Patidar, Vikas Jaiswal**

**Final Decision : Allowed**

## Judgement

Subodh Abhyankar, J

This is the applicants' first application under Section 439 of Criminal Procedure Code, 1973, as he/she is implicated in connection with Crime

No.104/2021, registered at Police Station-Afjalpur, District-Mandsaur (MP) for offence punishable under Section 306 of the IPC.

The applicant is in custody since 4.4.2021.

The allegation against the applicant is one of abetment of suicide to the deceased Sukhdev, who committed suicide on 11.3.2021 by hanging.

Learned counsel for the applicant has submitted that in the suicide note left behind by the deceased there is no allegation against the present applicant

and only on the basis of the allegations made by the family members of the deceased the applicant has been arrested. It is further submitted that the

applicant is in jail since 4.4.2021 and there are no other case registered against the applicant and the final conclusion of the trial is likely to take

sufficiently long time.

Therefore, it is prayed that the bail application be allowed.

Learned Panel Lawyer for the respondent/State has opposed the prayer.

Having considered the rival submissions, perusal of the case diary and looking to the suicide note, this Court finds forced with the contention raised by

the counsel for the applicant, without reflecting anything on the merits of the case, the application filed by under Section 439 of Cr.P.C. on behalf of

the applicant is hereby allowed.

The applicant is directed to be released on bail upon furnishing a personal bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with

one solvent surety of the like amount to the satisfaction of the trial Court for his/her regular appearance before the trial Court during trial with a

condition that he/she shall remain present before the court concerned during trial and shall also abide by the conditions enumerated under Section 437

(3) Criminal Procedure Code, 1973.

It is made clear that if the applicant is again found to be involved in any other offence during the trial, this order shall stand cancelled automatically

without reference to the Court and the police will be at liberty to arrest the applicant in the present case also.

This order shall be effective till the end of the trial, however, in case of bail jump, it shall become ineffective.

Certified copy as per rules.