
(2020) 10 MP CK 0049

In the Madhya Pradesh High Court

Case No : Miscellaneous Criminal Case No. 36820 Of 2020

Gulab Bai And Others

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 07-10-2020

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 438, 438(2)

Indian Penal Code, 1860 — Section 147, 148, 294, 323, 341, 452, 506

Citation : (2020) 10 MP CK 0049

Hon'ble Judges : Vijay Kumar Shukla, J

Bench : Single Bench

Advocate : Anoop Kumar Saxena, Jagat Singh

Judgement

Vijay Kumar Shukla, J

On account of the prevailing conditions worldwide brought about by the COVID 19 virus, this application has been heard and decided through Video Conferencing to maintain social distancing. The necessary parties have effectively been represented by their respective counsel through Video Conferencing.

This is the first bail application filed by the applicants under Section 438 of Cr.P.C. for grant of anticipatory bail. The applicants apprehends their arrest in connection with Crime No.241/2020 registered at P.S. Satai Chowki, Padariya, District Chhatarpur, M.P., for offence punishable under Sections 147, 148, 452, 341, 323, 294, 506 of the IPC.

Learned counsel for the applicants submits that the applicants have been falsely implicated in the case and no overt act has been attributed to the present applicants, therefore, prays for grant of anticipatory bail to the applicants.

On going through the case diary, it has come on record that the allegation against the present applicants is only regarding abusing the complainant's family and they have not played any overt act regarding Marpeet in the actual incident which had occurred prior to abusing the complainant's family.

In view of the aforesaid, prima-facie case is made out for grant of bail to the applicants. Therefore, without expressing any opinion on the merits of the case, this application is allowed and the applicants are granted benefit of anticipatory bail.

Accordingly, it is directed that in the event of arrest, the applicants shall be released on bail on furnishing a personal bond in the sum of Rs.50,000/-Date: 2020.10.07 13:07:06 IST (Rs. Fifty Thousand only) each with one surety in the like amount to the Digitally signed by Priyanka Pithawe SAN satisfaction of arresting officer. The applicants shall further abide by the other Signature Not Verified conditions enumerated in sub-Section (2) of Section 438 of Cr.P.C.

A typed copy of this order be forwarded by the Registry to the Office of the Advocate General and to Shri Jagat Singh, learned Panel Lawyer, on their respective email addresses, for intimation to the police station concerned.

Accordingly, the bail application is allowed.

C.c. as per rules.