

**(2022) 01 MP CK 0163**

**In the Madhya Pradesh High Court**

**Case No : Miscellaneous Criminal Case No.5313 Of 2022**

Jitendra

APPELLANT

Vs

State Of Madhya Pradesh Station

RESPONDENT

**Date of Decision : 31-01-2022**

**Acts Referred:**

Code Of Criminal Procedure, 1973 — Section 439

Indian Penal Code, 1860 — Section 34, 306, 384

Madhya Pradesh Debtors Protection Act, 1937 — Section 3, 4

**Citation : (2022) 01 MP CK 0163**

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

**Bench : Single Bench**

**Advocate : Vivek Singh, Viraj Godha, R.R.Bhatnagar**

**Final Decision : Dismissed**

## **Judgement**

Vijay Kumar Shukla, J

This is first application of the applicant under Section 439 of Cr.P.C. for grant of bail in connection with Crime No.460/2021 registered at Police

Station Dalauda District Mandsaur for the offences under Sections 306,384,34 of IPC and Section 3/4 of the M.P. Debtors Protection Act, 1937.

Against the present applicant the allegation in dying declaration is that h e had given loan to the deceased and used to demand the same and therefore,

he committed suicide by consuming sulphas tablet.

Counsel for the applicant submits that under similar circumstances one co-accused Ramprasad has already been granted bail by this Court in

MCRC.No.424/2022 vide order dated 17.1.2022.

Counsel for the objector submits that mother and brother of the deceased had made specific allegations against the present applicant that he use to

demand money and torture the applicant.

However, taking into consideration the averments, material on record and the fact that co-accused Ramprasad has already been granted bail and

investigation has already been completed, I am of the view, that the applicant is entitled for bail.

It is directed that Applicant- Jitendra S/o Shankarlal Gugar 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 RE : CONTAGION OF COVID 19

VIRUS IN PRISONS in SUO MOTU ""W.P. (C) No.1/2020""and ensure that the applicant is examined by the jail doctor before his release.

If the applicant shows 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.

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, 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.