

(2021) 02 MP CK 0146

In the Madhya Pradesh High Court

Case No : Miscellaneous Criminal Case No.10235 Of 2021

Krishna Kumar Mehra

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 23-02-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 437(3), 439
Indian Penal Code, 1860 — Section 120B, 201, 419, 420, 468, 471
Information Technology Act, 2000 — Section 66C, 66D

Citation : (2021) 02 MP CK 0146

Hon'ble Judges : Sanjay Dwivedi, J

Bench : Single Bench

Advocate : Chimanlal Sethi, Anvesh Shrivastava

Final Decision : Allowed

Judgement

Sanjay Dwivedi, J

This is the second bail application of the applicant under Section 439 of the Code of Criminal Procedure for grant of bail in connection with Crime

No.189/2020 registered at Police Station State Cyber Cell, District Jabalpur, for the offence punishable under Sections 419, 420, 468, 471, 120-B and

201 of the Indian Penal Code and 66-C and 66-D of the I.T. Act.

The first one was dismissed as withdrawn by this Court vide order dated 22.12.2020 passed in M.Cr.C. No.50082/2020 and connected applications

with liberty to move a fresh one after a period of two months.

Learned counsel for the applicant submits that availing the said liberty this application has been filed. He also submits that the applicant is in jail since

06.11.2020. He further submits that the other co-accused persons have already been enlarged on bail by this Court and as the present applicant is also

facing the similar allegation, therefore, to maintain parity, he is entitled to be released on bail.

Shri Anvesh Shrivastava, appearing for the respondent/State submits that though the bail has been granted to some of the co-accused persons, but the present applicant is not entitled to be released on bail and as such, opposed the bail application.

Considering the aforesaid, to maintain parity, without commenting anything on the merits, I am inclined to consider and allow this bail application, accordingly, the same is hereby allowed.

It is directed that the applicant be released on bail upon his furnishing a personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand) with one solvent surety of the like amount to the satisfaction of the trial Court.

It is further directed that the applicant shall abide by the conditions enumerated in Section 437(3) of the Code of Criminal Procedure.

The jail authority is also directed to ensure that before his release, the applicant is examined by the jail doctor to ascertain that he is not afflicted with the COVID-19 virus. If the doctor suspects otherwise, the applicant shall be referred to the appropriate hospital for further management as per the protocol laid down by the State. In the event the jail doctor is of the opinion that the applicant can be released, then he shall be released.

Certified copy as per rules.