

(2022) 04 MP CK 0051
In the Madhya Pradesh High Court
Case No : Criminal Appeal No. 3458 Of 2022

Raju Meena

APPELLANT

Vs

State Of M.P. & Anr

RESPONDENT

Date of Decision : 21-04-2022

Acts Referred:

Scheduled Caste And Scheduled Tribe (Prevention Of Atrocities) Act, 1989 — Section 3(1)(w), 3(2)(va), 14A(2), 15A
Indian Penal Code, 1860 — Section 354

Citation : (2022) 04 MP CK 0051

Hon'ble Judges : G.S. Ahluwalia, J

Bench : Single Bench

Advocate : S.S.Rajput, Anjali Gyanani

Final Decision : Allowed

Judgement

G.S. Ahluwalia, J

It is submitted by the counsel for the State that the complainant has been informed about the pendency of this appeal as required under Section 15-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (in short "Act").

Case diary is available.

This appeal has been filed under Section 14-A (2) of the Act against the order dated 04/04/2022 passed by Special Judge (Atrocities Act) Guna, rejecting the bail application.

The appellant has been arrested on 01/04/2021 in connection with Crime No.185/2021 registered by Police Station Mragwas, District Guna for offence punishable under Sections 354 of IPC and Sections 3(1)(w) and 3(2)(va) of the Act.

It is submitted by the counsel for the appellant that according to the prosecution

case, the appellant had caught hold the hand of the prosecutrix with an evil intention. The allegations are false. He is in jail from 01/04/2021 and he undertakes to stay away from the prosecutrix. The Trial is likely to take sufficiently long time and there is no possibility of his absconding or tampering with the prosecution case.

Per contra, the appeal is vehemently opposed by the counsel for the State. However, it is fairly conceded that the appellant has no criminal history.

Considering the period of detention and without commenting on the merits of the case, the appeal is allowed. It is directed that the appellant be released on bail on furnishing a personal bond in the sum of Rs.1,00,000/- (Rupees One Lac) with one surety in the like amount to the satisfaction of the Trial Court/Committal Court to appear before the Court on the dates given by the concerned Court.

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

In the light of the judgment passed by the Supreme Court in the case of Aparna Bhat and others Vs. State of M.P. Passed on 18.03.2021 in Criminal Appeal No. 329/2021, the intimation regarding grant of bail be sent to the complainant.

Certified copy as per rules.