

(2020) 01 MP CK 0064

In the Madhya Pradesh High Court

Case No : Miscellaneous Criminal Case No. 1496 Of 2020

Rameshwar Rajak

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 20-01-2020

Acts Referred:

Citation : (2020) 01 MP CK 0064

Hon'ble Judges : Sheel Nagu, J

Bench : Single Bench

Advocate : Deependra Raghuvanshi, Anuradha Singh, Brijesh Tyagi

Final Decision : Disposed Of

Judgement

Learned counsel for the rival parties are heard.

This is first application u/S.438 Cr.P.C. filed by the petitioner for grant of anticipatory bail.

Petitioner apprehends arrest in connection with offences punishable u/Ss.304-B and 34 of IPC registered as Crime No.488/2019, by Police Station Sabalgarh, District Morena (M.P.).

Learned Public Prosecutor for the State opposed the application and prayed for its rejection by contending that on the basis of the allegations and the material available on record, no case for grant of anticipatory bail is made out.

Petitioner being brother-in-law (Jeth) of the deceased who died due to hanging is alleged with dowry death. Reading of statements of parents of the deceased reveals omnibus allegation against petitioner. Marriage of the deceased took place more than three years back.

Co-accused Hema Rajak (sister in law-Jethani) has also been granted benefit of anticipatory bail vide order dated 29.11.2019 in Mcrc.48011/019.

In view of absence of any specific allegation of cruelty inflicted soon before

death, I deem fit appropriate to allow this application u/S. 438 of Cr.P.C. in the following terms.

It is hereby directed that in the event of arrest, the petitioner shall be released on bail on furnishing a personal bond in the sum of Rs.50,000/- (Rs. Fifty Thousand only) with two solvent sureties each of Rs.25,000/- to the satisfaction of the Arresting Authority. This order will remain operative subject to compliance of the following conditions by the petitioner :-

1. The petitioner will comply with all the terms and conditions of the bond executed by him;
2. The petitioner will cooperate in the investigation/trial, as the case may be;
3. The petitioner will not indulge himself in extending inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to the Police Officer, as the case may be;
4. The petitioner shall not commit an offence similar to the offence of which he is accused;
5. The petitioner will not seek unnecessary adjournments during the trial; and
6. The petitioner will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be.
7. Petitioner shall mark his presence before the police station concerned firstly on 27.01.2020 and thereafter once every week till conclusion of investigation.

For the time being this case stands disposed of.