

**IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE**

BEFORE

HON'BLE SHRI JUSTICE SUBODH ABHYANKAR

ON THE 15th OF JULY, 2024

MISC. CRIMINAL CASE No. 29295 of 2024

GOPAL

Versus

THE STATE OF MADHYA PRADESH

Appearance:

(SHRI AKHILESH KUMAR CHOUDHARY, LEARNED COUNSEL FOR THE PETITIONER).

(SHRI VINOD THAKUR, LEARNED COUNSEL APPEARING ON BEHALF OF ADVOCATE GENERAL)

ORDER

1] They are heard. Perused the case-diary.

2] This is the first bail application filed by the applicant under UNDER SECTION 483 OF BHARTIYA NAGRIK SURAKSHA SANHITA, 2023/Section 439 of Criminal Procedure Code, 1973, as he is implicated in connection with Crime No.168/2024 registered at Police Station Pawasa, District Ujjain (MP) for offence punishable under Sections 363, 366 of IPC. The applicant is in custody since 2.7.2024.

3] The allegation against the applicant is abduction and rape.

4] Counsel for the applicant has submitted that the prosecutrix has resided with the applicant for a period of around 8 years and has refused to get herself medically examined and has already given clean chit to the present applicant. It is further submitted that the applicant is lodged in jail since 2.7.2024 and the final conclusion of trial will take sufficient long time. Thus, it is prayed that the application be allowed.

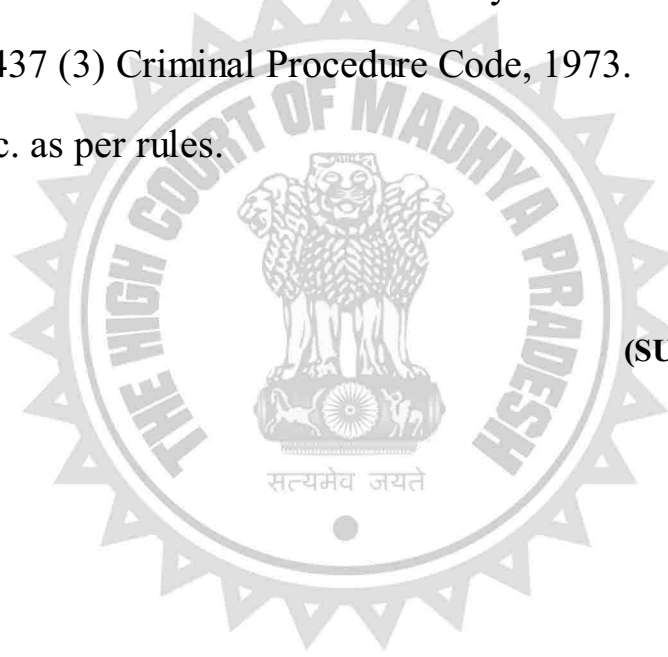
5] Counsel for the State has opposed the prayer.

6] Having considered rival submissions, perusal of the case-diary, this Court is inclined to allow the application.

7] Accordingly, without commenting anything on merits of the matter, the present application for grant of bail is allowed. The applicant is directed to be released on bail upon his furnishing a personal bond in the sum of **Rs.50,000/- (Rupees fifty Thousand)** with one solvent surety in the like amount to the satisfaction of the Trial Court for his appearance, as and when directed and shall also abide by the conditions enumerated under Section 437 (3) Criminal Procedure Code, 1973.

C.c. as per rules.

das



(SUBODH ABHYANKAR)
JUDGE