

**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. 29316 of 2024

MUNNALAL

Versus

THE STATE OF MADHYA PRADESH

Appearance:

(SHRI ASHISH GUPTA, LEARNED COUNSEL FOR THE PETITIONER).

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

*(SHRI LUCKY PUROHIT, LEARNED COUNSEL FOR THE RESPONDENT
[OBJ]).*

ORDER

1] They are heard. Perused the case diary/challan papers.

2] This is the first application under SECTION 483 OF BHARTIYA NAGRIK SURAKSHA SANHITA, 2023/ Section 439 of Criminal Procedure Code, 1973, as he / she is implicated in connection with Crime No.513/2024 registered at Police Station Dhamnood Tehsil Dharanpuri District Dhar (MP) for offence punishable under Section 376(2)(N) of the Indian Penal Code, 1860. The applicant is in custody since 1.7.2024.

3] The allegations against the applicant is of abduction and rape.

4] Counsel for the applicant has submitted that the prosecutrix has given no objection before the trial Court and has no objection if the applicant is released on bail. It is further submitted that the applicant is in jail since 1.7.2024 and the final conclusion of trial will take sufficient long time. Thus, it is submitted that the application be allowed.

5] Counsel for the objector has submitted that he has no objection if the

bail application of the applicant is allowed.

6] On a query made to the prosecutrix, who is present before this Court has stated that she has no objection if the bail application of the applicant is allowed.

7] Counsel for the State, on the other hand, has opposed the prayer.

8] Having considered the rival submissions and on perusal of the case diary as also the statement of the prosecutrix who is present before this Court and no objection on behalf of the objector, this Court is inclined to allow the present application.

9]. Accordingly, without commenting on the merits of the case, the application filed by the applicant is allowed. The applicant is directed to be released on bail upon 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 for his/her regular appearance before the trial Court during trial with a condition that he / she shall remain present before the court concerned during trial and shall also abide by the conditions enumerated under Section 437 (3) Criminal Procedure Code, 1973.

(SUBODH ABHYANKAR)
JUDGE

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