



1 MCRC-36225-2024  
IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE

BEFORE  
HON'BLE SHRI JUSTICE SANJEEV S KALGAONKAR  
ON THE 23<sup>rd</sup> OF AUGUST, 2024

MISC. CRIMINAL CASE No. 36225 of 2024

*ANAND*

*Versus*

*THE STATE OF MADHYA PRADESH*

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Appearance:

Shri Anokhi Lal Kharol Advocate for the applicant.

Shri Madhusudan Yadav Panel Lawyer for State.  
.....

ORDER

This first application has been filed by applicant under Section 483 of Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of bail in connection with Crime No. 214/2024 registered at Police Station Sadar Bazar District Indore (M.P.) for offence punishable under Section 304 of BNS. Applicant is in judicial custody since 04.08.2024.

As per the case of prosecution, complainant Dr. Bharat Bajpayee reported to P.S. Sadar Bazar Indore that on 30.7.2024 at about 5.45 in the evening, he was going to his home, at that time, three unknown persons came on motorcycle and snatched his mobile phone and Rs. 2,000/- cash. On such allegation, P.S. Sadar Bazar Indore District Indore registered an FIR at Crime No. 214/2024 for offence punishable under Section 304 of BNS against the unknown offenders. Applicant was arrested on 4.8.2024 and he is in custody ever since. Statements of complainant and other witnesses have



been recorded. The investigation is underway.

Learned Counsel for the applicant in addition to the grounds mentioned in the application, submits that applicant has been falsely implicated in the matter. The applicant is aged about 19 years and is labourer by profession. The investigation is almost complete, therefore, there is no likelihood of interfering with the investigation or tampering with the evidence. Jail incarceration is causing great hardship to the young applicant. No criminal antecedent is reported against him. There is no likelihood of his absconsion leaving behind his family to suffer. Therefore, the applicant may be extended the benefit of bail.

*Per contra*, learned Counsel for the State opposes the bail application on the ground of gravity of alleged offence.

Heard learned counsel for the parties and perused the case diary.

Considering the arguments advanced by both the parties and overall circumstances of the case, but without commenting on merits of the case, this Court is inclined to release the applicant on bail. Thus, the application is allowed.

Accordingly, it is directed that **applicant- Anand** shall be released on bail in relation to Crime No. 214/2024 registered at Police Station Sadar Bazar District Indore (M.P.) for offence punishable under Section 304 of BNS, upon furnishing a personal bond in the sum of **Rs.50,000/- (Rupees Fifty Thousand only)** with one solvent surety of the same amount to the satisfaction of the Trial Court, for compliance with the following conditions,  
: (For convenience of understanding by accused and surety, the conditions



of bail are also reproduced in Hindi as under):-

(1) Applicant shall remain present on every date of hearing as may be directed by the concerned court;

(1) आवेदक संबंधित न्यायालय के निर्देशानुसार सुनवाई की प्रत्येक तिथि पर उपस्थित रहेगा ।

(2) Applicant shall not commit or get involved in any offence of similar nature;

(2) आवेदक समान प्रकृति का कोई अपराध नहीं करेगा या उसमें सम्मिलित नहीं होगा ।

(3) Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them/him/her from disclosing such facts to the Court or to the police officer;

(3) आवेदक प्रकरण के तथ्यों से परिचित किसी व्यक्ति को प्रत्यक्ष या अप्रत्यक्ष रूप से प्रलोभन, धमकी या वचन नहीं देगा, जिससे ऐसा व्यक्ति ऐसे तथ्यों को न्यायालय या पुलिस अधिकारी को प्रकट करने से निवारित हो ।

(4) Applicant shall not directly or indirectly attempt to tamper with the evidence or allure, pressurize or threaten the witness;

(4) आवेदक प्रत्यक्ष या अप्रत्यक्ष रूप से साक्ष्य के साथ छेड़छाड़ करने का या साक्षी या साक्षियों को बहलाने-फुसलाने, दबाव डालने या धमकाने का प्रयास नहीं करेगा ।

(5) During trial, the applicant shall ensure due compliance of provisions of Section 309 of Cr.P.C./346 of Bharatiya Nagarik Suraksha Sanhita, 2023 regarding examination of witnesses in attendance;

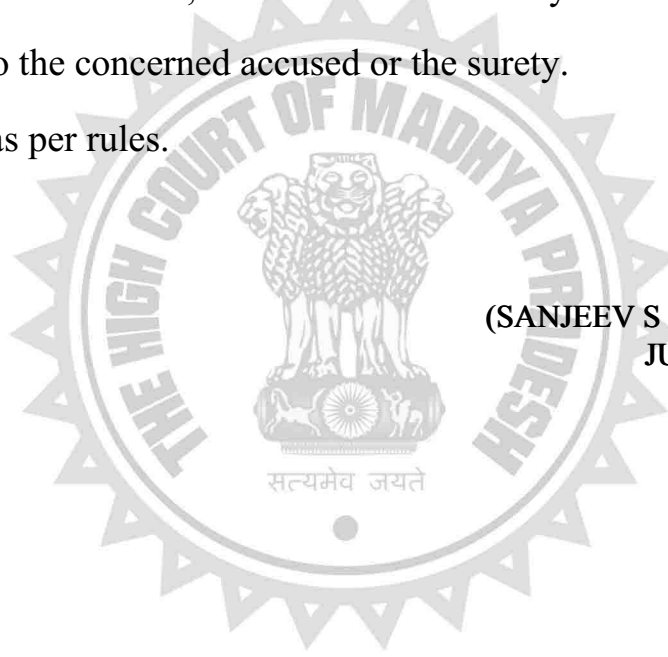


(5) विचारण के दौरान, उपस्थित गवाहों से परीक्षण के संबंध में आवेदक धारा ३०९ दं. प्र.सं./ ३४६ भारतीय नागरिक सुरक्षा संहिता, 2023 के प्रावधानों का उचित अनुपालन सुनिश्चित करेगा ।

This order shall be effective till the end of trial. However, in case of breach of any of the precondition of bail, the Trial Court may consider on merit cancellation of bail without any impediment of this order.

The trial Court shall get these conditions reproduced on the personal bond by the accused and on surety bond by the surety concerned. If any of them is unable to write, the scribe shall certify that he had explained the conditions to the concerned accused or the surety.

C.C. as per rules.



(SANJEEV S KALGAONKAR)  
JUDGE

BDJ