

**High Court of Madhya Pradesh, Jabalpur**  
**Bench at Indore**  
**Miscellaneous Criminal Case No.20352/2020**

(Mor Singh s/o Ramesh

Versus

The State of Madhya Pradesh)

**Indore, Dated 30.06.2020**

Mr. Anil Malviya, learned counsel for the applicant.

Ms. Nisha Tanwar, learned Panel Lawyer for the non-applicant / State of Madhya Pradesh.

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

This first application under Section 438 of Criminal Procedure Code, 1973 for grant of anticipatory bail has been filed by the applicant, who is apprehending his / her arrest in connection with Crime No.76/2020 registered at Police Station Narsingharh, District Rajgarh (MP) for offence punishable under Sections 365, 366, 376, 376 (2) (N) and Section 506 read with Section 34 of the Indian Penal Code, 1860.

As per prosecution case, on the basis of the allegation made by the prosecutrix regarding abduction, inducement, commission of rape on the pretext of marriage and also criminal intimidation, the case has been registered against the applicant.

Learned counsel for the applicant has submitted that the applicant is a young boy aged about 22 years and he has not committed any offence. The

prosecutrix is a major girl aged about 21 years, at the time of alleged incident. It is submitted that the applicant is the maternal uncle (म्हण्ण) of co-accused Ranjeet, who took the prosecutrix forcefully and also performed marriage with her. The prosecutrix remained in the custody of co-accused Ranjeet for a period of eight months, during which she visited various places including hospital. It is also submitted that during the incident neither the prosecutrix raised any alarm nor made any complaint to any person that co-accused Ranjeet took her forcefully and committed rape with her. Therefore, anticipatory bail application of co-accused Ranjeet has been allowed by this Court vide order dated 16.06.2020 passed in Miscellaneous Criminal Case No.11135/2020. The only allegation against the applicant is that he has given shelter to the prosecutrix and co-accused Ranjeet in his house. It is also submitted that there is no possibility of his / her absconsion or tampering with the evidence, if enlarged on anticipatory bail. He also submitted that the present applicant is ready to cooperate with the investigation. Under these circumstances, learned counsel for the applicant prays for grant of anticipatory bail to the applicant.

On the other hand, learned Panel Lawyer for the non-applicant / State of Madhya Pradesh opposes the application and prays for rejection of the anticipatory

bail application.

Considering the facts and circumstances of the case, but without commenting anything on the merits of the matter, I deem it proper to grant anticipatory bail to the applicant.

Accordingly, this application is allowed. It is directed that in the event of arrest, applicant **Mor Singh s/o Ramesh** shall be released on bail, upon his / her executing a personal bond in the sum of **Rs.50,000/- (rupees fifty thousand only)** and furnishing solvent surety in the like amount to the satisfaction of the Arresting Officer (Investigating Officer).

The applicant shall make himself / herself available for interrogation by a Police Officer, as and when required. He / she shall further abide by the other conditions enumerated in Sub Section (2) of Section 438 of the Code of Criminal Procedure, 1973.

Accordingly, Miscellaneous Criminal Case No.20352/2020 stands allowed.

Certified copy as per rules.

**(S.K. Awasthi)**  
**Judge**

Pithawe RC