

**HIGH COURT OF MADHYA PRADESH****M.Cr.C. No.1298/2021**

( Ajay Vs. State of M.P. )

**Jabalpur, Dated :30.04.2021****HEARD THROUGH VIDEO CONFERENCING**

Shri Raman Patel, learned counsel for the applicant.

Shri Atul Dwivedi, Panel Lawyer for the respondent/State.

This is the first bail application filed by the applicant under Section 439 of the Cr.P.C. for grant of bail.

The applicant is in custody since 21.12.2020 in connection with Crime No. 1206/20210 registered at P.S. Maihar, district Satna for the offence punishable under Sections 294, 323, 324, 506 and 307 of I.P.C.

The allegation against the present applicant is that he verbally abused and attacked the victim with a knife due to which he received injuries.

Learned counsel for the applicant submits that present applicant has been falsely implicated in this case. The injury was received by the victim as a result of fall. He has invited the attention of this Court to deposition of P.W.-1 Ramakant Singh who is cousin of the victim. This witness has turned hostile and stated that victim was the aggressor and he attacked the present applicant with a lathi and while running, fall down and received the injuries in his stomach. Similar kind of evidence has been given by P.W.-2 Rajabhaiya Singh and P.W.-3 Ramsajeevan Singh. It is stated that applicant is in custody since last five months and due to present Covid-19 scenario, the trial would take considerable time to conclude, therefore he be released on bail.

Learned counsel for the State opposed the bail application. It is submitted that as per the medical report, the victim has not received the treatment in time, the injury would be fatal to him.

Considering the documents filed alongwith the application and the fact that applicant is 19 years old student and the trial is going to take long time, this application is allowed.

It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of **Rs.50,000/- (Rs. Fifty Thousand only)** with one surety in the like amount to the satisfaction of the trial Court for his presence before the said Court on all the dates of hearing fixed in this regard during the trial.

This order will remain operative subject to compliance of the following conditions :-

- “1. The applicant will comply with all the terms and conditions of the bond executed by him.*
- 2. The applicant will cooperate in the investigation/trial, as the case may be;*
- 3. The applicant 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 applicant shall not commit any other offence during pendency of the trial, failing which this bail order shall stand cancelled automatically without further reference to the Bench;*
- 5. The applicant will not seek unnecessary adjournments during the trial;*

6. *The applicant will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be.*
7. *The learned concerned Magistrate and the prosecution are directed to ensure following of Covid-19 precautionary protocol prescribed from time to time by the Supreme Court, the Central Govt. and as well as the State Govt.”*

A typed copy of this order be forwarded by the Registry to the Office of the Advocate General and to the learned counsel for the respondent/State, on their respective email address, for intimation to the Police Station concerned. The office is also directed to forward a copy of this order to the learned Court below.

Certified copy/e-copy as per rules/directions.

**(Nandita Dubey)**  
**Judge**



Digitally signed by GSETHA NABH  
Date: 2021.05.01 13:25:04 +05'30'

