

# The High Court Of Madhya Pradesh

MCRC No. 58213 of 2021

(MUNNA SINGH RAI AND OTHERS Vs THE STATE OF MADHYA PRADESH)

**Jabalpur, Dated : 30-11-2021**

Shri Rajendra Kumar Shrivastava, learned counsel for the applicants.

Smt. Priyanka Mishra, learned Government Advocate for the respondent/ State.

Heard.

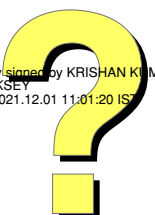
This is the first application filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the applicants.

The applicants are apprehending their arrest in connection with Crime No.487/2021 registered at Police Station Nowgaon District Chhatarpur for the offence punishable under Sections 304-B, 498-A, 34 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

Learned counsel for the applicants submits that the present applicants have falsely been implicated in the aforesaid offence. However, from the statement of brother of the deceased, it is clear that applicant No.2 was involved in creating trouble to the deceased and she was demanding dowry from the deceased and also harassing her. So far applicant No.1 is concerned, the brother of the deceased has not made any allegation against him.

On the other hand, learned Government Advocate has opposed the bail application.

However, considering the aforesaid, I am inclined to consider and allow the bail application of applicant No.1 only under Section 438 of Cr.P.C. So far applicant No.2 is concerned, the brother of the deceased has made direct allegation against her, therefore I am not inclined to consider and allow the application of applicant No.2. Therefore, without commenting anything on the merits of the case, this application is **allowed** only in respect of applicant No.1 namely **Munna Singh Rai**. However, applicant No.2 is at liberty to file the regular bail application before the trial Court.



It is directed that in the event of arrest, the applicant No.1 be released on bail upon his furnishing a bail bond in the sum of **Rs.50,000/- (Rupees Fifty Thousand)** with one solvent surety of the like amount to the satisfaction of the Station House Officer/Arresting Officer of the Police Station concerned.

The applicant shall abide by the conditions enumerated under Section 438 (2) of the Code of Criminal Procedure.

Certified Copy as per rules.

(SANJAY DWIVEDI)  
JUDGE

kkc

