

**IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE  
BEFORE**

**HON'BLE SHRI JUSTICE ANIL VERMA**

**ON THE 30<sup>th</sup> OF AUGUST, 2022**

**MISC. CRIMINAL CASE No. 38387 of 2022**

**Between:-**

**MAYA PATEL W/O MR. BAIKUNTH PATEL,  
AGED ABOUT 38 YEARS, OCCUPATION:  
HOUSEWIFE VILLAGE MED, TEHSIL  
MHOW DISTRICT INDORE (MADHYA  
PRADESH)**

**.....PETITIONER**

**(SENIOR ADVOCATE SHRI RAVINDRA  
SINGH CHHABRA APPEARED FOR THE  
PETITIONER.  
VIBHOR KHANDELWAL, LEARNED  
COUNSEL FOR THE PETITIONER )**

**AND**

**THE STATE OF MADHYA PRADESH  
STATION HOUSE OFFICER THROUGH  
POLICE STATION BADGONDA INDORE  
(MADHYA PRADESH)**

**.....RESPONDENTS**

**(PROXY COUNSEL SHRI SANJAY  
KARANJAWALA GA APPEARING ON BEHALF  
OF ADVOCATE GENERAL)**

*This application coming on for hearing this day, the court*

*passed the following:*

**O R D E R**

This is the first anticipatory bail application filed under Section 438 of the Code of Criminal Procedure, 1973. The applicant is apprehending her arrest in connection with Crime No. 296/2022 registered at P.S. -Badgonda District Indore (M.P.) for commission of offence punishable under Section 420, 409, 467, 468, 471 and 120-B of IPC.

As per the prosecution story, on 19/06/2022 a complaint was made by the Chief Executive Officer, Janpad Panchayat, Dr. Ambedkar Nagar (Mhow) with an allegation that the present applicant, Maya Patel, Sarpanch of the aforesaid Gram Panchayat along with the co-accused Baikunth Patel, Secretary of aforesaid Gram Panchayat Med with one Mahendra Choudhary has a conspiracy with an intention to grab the money allotted to Gram Panchayat has prepared forged and fabricated bills and committed fraud. So many irregularities were also found in the utilization of the funds allotted to the Gram Panchayat. On the basis of the aforesaid complaint and preliminary inquiry, an FIR has been registered against the applicant and other co-accused persons.

Learned counsel for the applicant submits that the applicant is innocent and she has been falsely implicated in this matter. The applicant is ex-sarpanch of village Med. She has not played any role in the above mentioned case. The entire proceeding initiated

against the applicant is nothing but politically motivated. She has contested election of the post of Sarpanch in the last election. She is a pregnant lady and the delivery is expected in the month of November 2022. She has previously also gone through the process of abortion. She has deposited the entire amount of Rs. 20,67,546/- by demand draft which has been produced by him by document No. 9656/2022, she is permanent resident of District Indore. Final conclusion of trial will take considerable long time. Hence, he prays that the applicant be released on anticipatory bail.

Per-contra, learned PL for respondent/State opposes the bail application and prays for its rejection.

Perused the case diary as well as the impugned order passed by the court below.

Considering all the facts and circumstances of the case, arguments advanced by both the parties, nature and gravity of allegation it is revealed that present applicant is ex-sarpanch of Gram Panchayat Med, she has deposited the amount of Rs. 20,67,546/- by demand draft in the concerned department, she has filed various documents regarding her pregnancy therefore, it appears that she is pregnant and her delivery is expected in the month of November 2022, she has previously also gone through the process of abortion, therefore due medical care is necessary for the applicant. In view of the above, I deem it proper to release the applicant on anticipatory bail.

Accordingly, without commenting on the merits of the case, the application is allowed. It is directed that in the event of applicant's arrest, the applicant be released on anticipatory bail upon her furnishing a personal bond in the sum of **Rs.75,000/-** with one solvent surety of the like amount to the satisfaction of the Arresting Officer for her appearance before the Investigating officer during the course of investigation as and when directed. Conditions of section 438(2) CRPC shall also apply on the applicant during currency of bail.

With the aforesaid, the application stands disposed of.

Certified copy as per rules.

**(ANIL VERMA)**  
**J U D G E**

*BDJ*

Digitally signed by  
BHUVNESHWAR DATT JOSHI  
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