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**IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR**

**BEFORE
HON'BLE SMT. JUSTICE NANDITA DUBEY
ON THE 29th OF DECEMBER, 2022**

MISC. CRIMINAL CASE No. 54345 of 2022

BETWEEN:-

**RAMNIWAS @ CHOTU CHOUDHARY S/O SHRI
BHAGWANDEEN CHOUDHARY, AGED ABOUT 23 YEARS,
OCCUPATION: LABOUR VEERPUR POLICE STATION
NAGOD DISTRICT SATNA (MADHYA PRADESH)**

.....APPLICANT

(BY MR. HEMANT SEN - ADVOCATE)

AND

**THE STATE OF MADHYA PRADESH THROUGH POLICE
STATION CIVIL LINE DISTRICT SATNA (MADHYA
PRADESH)**

.....RESPONDENT

(BY MR. MANOJ KUSHWAHA - PANEL LAWYER)

*This application coming on for admission this day, the court passed the
following:*

ORDER

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

The applicant is under custody since 18.09.2022 in connection with Crime No.576/202 registered at Police Station Civil Lines, District-Satna (M.P.) for the offences punishable under Sections 379, 467, 468 and 401 of the Indian Penal Code.

As per the prosecution, the present applicant along-with other co-accused persons were involved in theft of motorcycle.

Learned counsel for the applicant submits that the applicant has been falsely implicated in this case only for the reason that earlier he was also involved in similar nature of cases. He has been implicated in this case only on the basis of memorandum of co-accused persons. No recovery has been made from him.

Learned counsel for the State has stated that six other cases of similar nature are registered against the present applicant however he fairly submitted that the applicant has been implicated in this case only on the basis of memorandum of co-accused persons namely, Sharad and Rohit.

Considering the aforesaid, without commenting on the merits of the case, this application is *allowed*.

It is directed that the applicant be released on bail on his furnishing a personal bond in the sum of **Rs.50,000/- (Rupees Fifty Thousand only)** with one surety in the like amount to the satisfaction of the trial Court/committal Court for his appearance on the dates given by the concerned Court. It is further directed that the applicant shall also comply with the provisions of Section 437(3) of Cr.P.C.

In case, if the applicant is found involved in any other offence during the pendency of the trial, this bail order shall stand cancelled automatically.

Certified copy as per rules.

(NANDITA DUBEY)
V. JUDGE

julie