

Deepak Choudhary vs The State Of Madhya Pradesh on 27 January, 2025

NEUTRAL CITATION NO. 2025:MPHC-JBP:3920

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IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
BEFORE
HON'BLE SHRI JUSTICE SURESH KUMAR KAIT,
CHIEF JUSTICE
&
HON'BLE SHRI JUSTICE VIVEK JAIN
ON THE 27th OF JANUARY, 2025
MISC. CRIMINAL CASE No. 3739 of 2025
DEEPAK CHOUDHARY
Versus
THE STATE OF MADHYA PRADESH

Appearance:

Shri Mahendra Pateria - Advocate alongwith Laxmikant Dw
advocate for the applicant.

Shri Anubhav Jain - Government Advocate for respondent/

ORDER

Per: Hon'ble Shri Justice Suresh Kumar Kait, Chief Justice This is the 3rd application filed under Section 483 of of Bhartiya Nagrik Suraksha Sanhita, 2023 seeking for bail on behalf of the applicant in connection with Crime No.362 of 2023 registered at Police Station Waraseoni, District Balaghat for offences under Sections 447,120B,109,201,420 of IPC, Section 3/4 of M.P Pariksha Adhiniyam, 1937 and Sections 65, 66 and 66 (F) of IT Act.

Learned counsel for the respondent/State has opposed the present application by submitting that a charge-sheet has been filed against as many as nine accused persons, of whom five are still absconding.

NEUTRAL CITATION NO. 2025:MPHC-JBP:3920 2 MCRC-3739-2025 The allegation against the applicant and other accused persons is that they formed a gang and attempted to manipulate the computers used in the Police Constable Recruitment, 2023. One of the accused was caught red-handed, and based on his memorandum, the names of the other accused persons came to the knowledge of the police authorities and were subsequently implicated in the present case. Their participation in the commission of the offence is clearly reflected in the documents available on record, which have been filed along with the charge-sheet. It is not in dispute that if the applicant is convicted in the present case, the maximum sentence that can be awarded is seven years. It is also undisputed that the applicant has been in custody since 29.09.2023.

We are conscious of the fact that five co-accused persons are absconding. However, there is no allegation against the applicant of attempting to abscond, and he has remained in custody since 29.09.2023. Although the charge-sheet has been filed, the trial has not yet commenced and is likely to take considerable time to conclude.

For the reasons stated above, the Misc. Criminal Case is allowed. The applicant is directed to be released on bail subject to the following conditions:

(1) The applicant shall furnish a personal bond in the sum of Rs.

10,000/- (Rupees Ten Thousand) along with one solvent local surety or a blood relative in the same amount to the satisfaction of the trial court for his regular appearance during the trial in the aforesaid case.

(2) The applicant shall comply strictly with the conditions enumerated NEUTRAL CITATION NO. 2025:MPHC-JBP:3920 3 MCRC-3739-2025 under Section 437(3) of the Code of Criminal Procedure.

(3) The applicant shall deposit his passport, if available, with the investigating agency. If the applicant does not possess a passport, he shall file an affidavit before the concerned court declaring the same. Furthermore, the applicant shall not leave the country without the prior permission of the concerned court. Compliance with this condition shall be a prerequisite for the release on bail.

Accordingly, the bail application stands disposed of.

(SURESH KUMAR KAIT)
CHIEF JUSTICE
Praveen

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