

# Bharat Limbola vs State Of Madhya Pradesh on 9 January, 2025

NEUTRAL CITATION NO. 2025:MPHC-IND:559

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IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE  
BEFORE  
HON'BLE SHRI JUSTICE BINOD KUMAR DWIVEDI  
ON THE 9<sup>th</sup> OF JANUARY, 2025  
MISC. CRIMINAL CASE No. 56398 of 2024  
BHARAT LIMBOLA AND OTHERS  
Versus  
STATE OF MADHYA PRADESH

Appearance:

Applicants by Shri Lucky Jain - Advocate.

Respondent - State of Madhya Pradesh by Shri Kshitij Vyas -  
Advocate appearing on behalf of Advocate General.

ORDER

This is first bail application under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 (BNSS) = Section 438 of the Code of Criminal Procedure, 1973 (Code) for grant of anticipatory bail. The applicants are apprehending their arrest in relation to Crime/FIR No.963 of 2024 registered at Police Station Industrial Area, Ratlam, District Ratlam (M.P.) for commission of offence under 306 of Indian Penal Code, 1860 = Section 108 of Bhartiya Nyaya Sanhita, 2023.

2. The allegation against the applicants is that due to their torture and mental harassment (abetment), on 24.03.2024 deceased Narayan Parmar S/o Parmanand Parmar has committed suicide.

3. Learned counsel for the applicants submits that no overt act has been attributed to these applicants, who are brother-in-law, sister-in-law and mother-in-law of the deceased Narayan. The ingredients for commission of NEUTRAL CITATION NO. 2025:MPHC-IND:559 2 MCRC-56398-2024 offence under Section 306 = Section 108 of BNS are missing. They have falsely been implicated in the alleged offence. It is also submitted that mere mention of their name in the suicide note is not sufficient to prosecute the applicants. The applicants have no criminal record. The applicants are permanent resident of Vasai, West, Palghar, Nagda, District Ujjain and Gram Dharad, District Ratlam respectively and there is no possibility of their absconsion. On these grounds, it is prayed that applicants may be released on anticipatory bail.

3. Learned counsel appearing for the respondent - State has opposed the prayer for anticipatory bail and prayed for its dismissal.

4. Heard learned counsel for the parties and perused the case diary.

5. Considering the facts and circumstances of the case, but without expressing any opinion on the merits of the case, I am inclined to release the applicants on anticipatory bail. Consequently, the present application filed on behalf of applicants, stands allowed.

6. It is directed that applicant No.1 - Bharat Limbola S/o Late Shri Siddhu Limbola, applicant No.2 - Hemlata Rathore W/o Shri Virendra Rathore and applicant No.3 - Kanchan Bai Limbola W/o Late Shri Siddhu Limbola be released on bail upon each of them furnishing a personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety in the like amount to the satisfaction of the arresting officer, subject to the following terms and conditions:-

(i) The applicant (s) shall make himself / herself available for interrogation by the investigating officer at the time and place fixed by the NEUTRAL CITATION NO. 2025:MPHC-IND:559 3 MCRC-56398-2024 Investigating Officer.

(ii) The applicant (s) will not abscond or tamper with the evidence or influence the witnesses.

(iii) The applicant (s) shall cooperate with the investigation.

7. The applicant (s) shall further abide by the other conditions enumerated in Sub Section (3) of Section 437 of the Code = Sub Section (2) of Section 482 of BNSS. In case of any breach of the above terms and conditions, prosecution side will be at liberty to seek cancellation of bail.

8. Accordingly, this M.Cr.C. stands allowed and disposed of.

Certified copy as per rules.

(BINOD KUMAR DWIVEDI) JUDGE rcg