

# Shiv Kumar Mishra vs The State Of Madhya Pradesh on 7 January, 2025

**Author: Dinesh Kumar Paliwal**

**Bench: Dinesh Kumar Paliwal**

NEUTRAL CITATION NO. 2025:MPHC-JBP:341

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IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR  
BEFORE  
HON'BLE SHRI JUSTICE DINESH KUMAR PALIWAL  
ON THE 7<sup>th</sup> OF JANUARY, 2025  
MISC. CRIMINAL CASE No. 54485 of 2024  
SHIV KUMAR MISHRA  
Versus  
THE STATE OF MADHYA PRADESH  
Appearance:  
Shri Rakesh Dwivedi - Advocate for the applicant.  
Shri Anup Sonkar - Panel Lawyer for the respondent/State.

## ORDER

This is first bail application filed by the applicant under Section 483 of BNSS, 2023/439 of Cr.P.C. for grant of regular bail in relation to FIR No.1263/2024, dated 18.09.2024 registered at Police Station- Waidhan, District Singrauli (M.P.) for commission of offence punishable under Sections 316(4), 316(5) & 3(5) of Bhartiya Nyaya Sanhita 2023. Applicant is in detention since 05.12.2024.

2 As per the prosecution story, the applicant in collusion with Rameshwar Prasad Jaiswal and Siyaram Bharti sold out the books, which were sent for distribution to the poor students, as such he along with co- accused has committed offence and caused loss to the State exchequer.

3. Learned counsel for the applicant has submitted that applicant has not committed any offence. He is innocent. He has been falsely implicated. It is further submitted that the applicant is a government employee and there is no possibility of his fleeing from the justice. Therefore, it is prayed that NEUTRAL CITATION NO. 2025:MPHC-JBP:341 2 MCRC-54485-2024 applicant may be released on bail, pending the trial.

4. On the other hand, learned counsel for the State has opposed the prayer for grant of bail to the applicant.

5 Having taken into consideration all the facts and circumstances of the case, but without expressing any opinion on the merits of the case, I deem it a fit case for grant of bail. Consequently, this first bail application under Section 483 of BNSS, 2023/439 of Cr.P.C. for grant of bail filed on behalf of applicant, stands allowed.

6. It is directed that applicant - Shivkumar Mishra be released on bail on his 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 trial Court, for his regular appearance before the trial Court during trial with a condition that he shall remain present before the concerned Court on all the dates fixed by it during trial. He shall abide by all the conditions enumerated under Section 480(3) of BNSS/437(3) of Cr.P.C.

7. This order shall be effective till the end of the trial. However, in case of bail jump and breach of any of the conditions of bail, it shall become ineffective.

Certified copy as per rules.

(DINESH KUMAR PALIWAL) JUDGE Vin\*\*