

Jitendra Prajapati vs The State Of Madhya Pradesh on 29 January, 2025

Author: Maninder S. Bhatti

Bench: Maninder S. Bhatti

NEUTRAL CITATION NO. 2025:MPHC-GWL:1899

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IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR
BEFORE
HON'BLE SHRI JUSTICE MANINDER S. BHATTI
ON THE 29th OF JANUARY, 2025
MISC. CRIMINAL CASE No. 2558 of 2025
JITENDRA PRAJAPATI
Versus
THE STATE OF MADHYA PRADESH

Appearance:
Mr. Ashish Singh Jadon - Advocate for the applicant.
Mr. Yogesh Parashar - Public Prosecutor for the respondent.

ORDER

This is first bail application filed by the applicant under Section 483 of the Bharatiya Nagrik Suraksha Sanhita, 2023 (Section 439 of Cr.P.C.) for grant of regular bail relating to FIR/Crime No.371/2024 registered at Police Station Kolaras, District Shivpuri for the offences punishable under Sections 325 of BNS, Section 11 of Madhya Pradesh Krishik Pashu Parirakshan Adhiniyam, under Sections 4/9, 6/9 and 6A/9 of Madhya Pradesh Govansh Vadh Pratishedh Adhiniyam, under Section 66/192 of Motor Vehicle Act and under Section 318(4) of IPC.

2 . It is contended by the counsel for the applicant that the present applicant has been implicated on the basis of memorandum of the owner of vehicle. It is contended by the counsel that owner alleged that the vehicle in question was given on rent to the present applicant and in turn the same was used by the applicant. It is contended by the counsel that the allegations are NEUTRAL CITATION NO. 2025:MPHC-GWL:1899 2 MCRC-2558-2025 baseless and the present applicant cannot be implicated on the strength of the memorandum, which has no sanctity in the eye of law.

3. The counsel for the State has opposed the application and submitted that it is a case where 20 livestock were being transported, out of which 17 were found to be dead and thus the offence under the aforesaid Sections has been registered. Therefore, the applicant is not entitled to be released on

bail.

4. Heard the submissions and perused the case diary. 5 . Having considered the submissions and perusal of the record reveals that the present applicant has been implicated on the basis of memorandum of the owner of vehicle and the owner alleged that the vehicle in question was given on rent to the present applicant and in turn the same was used by the applicant. Thus, considering the totality of the facts, this Court deems it proper to release the applicant on bail. Therefore, without expressing any view on the merits of the case, the application is allowed.

6 . It is directed that the applicant shall be released on bail on furnishing a personal bond in a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with one surety in the like amount to the satisfaction of the trial Court concerned for his appearance before the said Court on all such dates as may be fixed in this regard during the pendency of trial.

7 . It is further directed that the applicant shall comply with the provisions of Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(MANINDER S. BHATTI) JUDGE NEUTRAL CITATION NO. 2025:MPHC-GWL:1899 3
MCRC-2558-2025 bj/-