

Banti Raj @ Banti Jatav vs The State Of Madhya Pradesh on 17 August, 2024

Author: Sanjeev S Kalgaonkar

Bench: Sanjeev S Kalgaonkar

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IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR
MCRC No. 32680 of 2024
(BANTI RAJ @ BANTI JATAV Vs THE STATE OF MADHYA PRADESH)

Dated : 17-08-2024

Shri Vikas Gupta- Advocate for applicant.

Shri Dinesh Savita- Public Prosecutor for respondent- State of Madhya Pradesh

Heard on IA No. 17230 of 2024, an application moved on behalf of applicant Banti Raj alias Banti Jatav for grant of interim bail on the ground of death of his father- Hariram Jatav.

Applicant is in judicial custody since 29-05-2024 in connection with Crime No.227 of 2024 registered at Police Station Bhitwar, District Gwalior (M.P.), for offence punishable under Section 14 of M.P. Rajya Suraksha Adhiniyam.

As per the case of prosecution, on secret information, on 29-05-2024 ASI Shivavtar Singh of PS Bhitwar along-with police force reached near Petrol Pump, Village Goinda and caught hold of Banti Raj alias Banti Jatav (applicant) sitting outside his house but he did not give any satisfactory answer regarding his presence. Police Force apprehended him. Applicant was found to be present in Gwalior in violation of externment order No.0137/Zila Badar/2023 dated 08-09-2023 of District Magistrate, Gwalior. On such allegations, PS Bhitwar, District Gwalior registered FIR at Crime No.227 of 2024 for offence punishable under Section 14 of M.P. Rajya Suraksha Adhiniyam against applicant. Applicant was arrested on 29/05/2024, he is in custody ever since. On completion of investigation, Final Report has been submitted.

Vide order dated 13-08-2024, the learned Counsel for the State was directed to seek verification of factum of death of Hariram Jatav, father of applicant- Banti Raj alias Banti Jatav from PS Bhitwar.

State has filed the verification report dated 14-08-2024 received from PS Bhitwar. As per verification report, father of applicant Hariram Jatav died on 09th of 2 MCRC-32680-2024 August, 2024.

Learned Counsel for the applicant submits that there is no one in the family of applicant to perform last rites of his father. Therefore, he may be extended the benefit of interim bail to perform the last rites of his father.

Considering the aforesaid, application (IA No.17320 of 2024) for interim bail is allowed. It is hereby directed that applicant- Banti Raj alias Banti Jatav shall be released on interim bail for a period of fifteen days from the date of his release, on his furnishing a person bond of Rs. 50,000/- (Rupees fifty thousand only) with one solvent surety of same amount to the satisfaction of Court concerned, with the following conditions:-

- (i) Applicant shall comply with No.0137/Zila Badar/2023 dated 08-09-2023 of District Magistrate, Gwalior immediately after release on interim bail, if still effective.
- (ii) Applicant shall surrender before the Court concerned on or before expiry of aforesaid period of fifteen days.

IA 17230 of 2024 stands disposed of.

List for final hearing on the main application filed under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023.

C.C. as per rules.

(SANJEEV S KALGAONKAR) JUDGE MKB