

Rajendra Rajan @ Roni Kuchbandiya vs The State Of Madhya Pradesh on 11 November, 2024

Author: Achal Kumar Paliwal

Bench: Achal Kumar Paliwal

NEUTRAL CITATION NO. 2024:MPHC-JBP:55354

1
IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
BEFORE
HON'BLE SHRI JUSTICE ACHAL KUMAR PALIWAL
ON THE 11th OF NOVEMBER, 2024
MISC. CRIMINAL CASE No. 47816 of 2024
RAJENDRA RAJAN @ RONI KUCHBANDIYA
Versus
THE STATE OF MADHYA PRADESH

Appearance:
Shri Sourabh Bhushan Shrivastava - Advocate for the a
Shri Ravendra Shukla- Government Advocate for the
respondent/State.

ORDER

This first application under Section 482 of The Bhartiya Nagrik Suraksha Sanhita has been filed on behalf of the applicant Rajendra Rajan @ Roni Kuchbandiya for grant of anticipatory bail.

2. Applicant apprehending his arrest in connection with Crime No. 186 of 2024 of Police Station-Gadarwara, District-Narsinghpur (MP) for commission of the offences punishable under Section 14 of M.P. Rajya Suraksha Adhiniyam.

3. Prosecution story in brief is that vide order dated 17.10.2023, applicant was externed for a period of one year from District-Narsinghpur but during aforesaid period, in call details, it was found that applicant was in Gadarwara from 10.12.2023 to 20.12.2023. On above ground, FIR under Section 14 of M.P. Rajya Suraksha Adhiniyam was registered against NEUTRAL CITATION NO. 2024:MPHC-JBP:55354 2 MCRC-47816-2024 present applicant.

4. Learned counsel for the applicant submits that it is correct that vide order dated 17.10.2023, applicant was externed for a period of one year. Later-on, on account of CDRs of alleged applicant's mobile, it was alleged that applicant was in Gadarwara from 10.12.2023 to 20.12.2023. It is also urged that if Investigating Officer was aware that applicant is in Gadarwara in violation of

externment order, then, he should have immediately arrested the applicant but he was not arrested and FIR has been registered on 04.03.2024. There is nothing on record to show that mobile/sim has been issued in the name of present applicant. Just on the basis of CDRs, it cannot be said that applicant was in Gadarwara from 10.12.2023 to 20.12.2023 in violation of above externment order. On these grounds, learned counsel for the applicant prays for grant of anticipatory bail.

5. Learned Government Advocate for the respondent/State on the other hand has opposed application.

6. Looking to the nature of offence as well as nature of evidence available on record, I deem it proper to release the applicant on anticipatory bail. Consequently, anticipatory bail application filed on behalf of applicant stands allowed.

7. It is directed that in the event of his arrest, be released on bail on her furnishing a personal bond of Rs.30,000/- (Rupees Thirty Thousand Only) with one solvent surety of the like amount to the satisfaction of the Arresting Officer. It is also directed that the applicant shall abide by the conditions as enumerated under Section 438(2) of Cr.P.C. It is made clear NEUTRAL CITATION NO. 2024:MPHC-JBP:55354 3 MCRC-47816-2024 that applicant shall appear before the Investigating Officer as & when he is so directed and cooperate with the investigation and he shall also appear before the Trial Court failing which his bail shall automatically stand cancelled without further reference to the Court.

8. C.C. as per rules.

(ACHAL KUMAR PALIWAL) JUDGE vai