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**IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR**

**BEFORE  
HON'BLE SHRI JUSTICE SANJAY DWIVEDI  
ON THE 2<sup>nd</sup> OF DECEMBER, 2022  
MISC. CRIMINAL CASE No. 56163 of 2022**

**BETWEEN:-**

**MAHENDRA TIWARI S/O SHRI SHESHMANI TIWARI,  
AGED ABOUT 34 YEARS, OCCUPATION: FARMER, R/O  
VILLAGE URTAAN, KAMRAN TOLA, TEHSIL KOTMA,  
DISTRICT ANUPPUR (MADHYA PRADESH)**

**.....APPLICANT**

**(BY SHRI VIKRAM JOHRI - ADVOCATE)**

**AND**

**THE STATE OF MADHYA PRADESH THROUGH POLICE  
STATION BUDHAR, DISTRICT SHAHDOL (MADHYA  
PRADESH)**

**.....RESPONDENT**

**(BY SHRI PUNIT SHROTI - PANEL LAWYER)**

*This application coming on for admission this day, the court passed the  
following:*

**ORDER**

This first application under Section 439 of the Code of Criminal Procedure has been filed on behalf of the applicant for grant of bail in connection with Crime No.552/2021 registered at Police Station Budhar, District Shahdol, for the offence punishable under Sections 419 & 420 of the Indian Penal Code and 66C & 66D of the Information Technology Act.

The counsel for the applicant submits that the applicant is in jail since 17.06.2021. He submits that the applicant has been falsely implicated in the alleged crime because when FIR got registered, he was in jail as other criminal

cases registered against him. He submits that even otherwise looking to the allegation as no recovery made from the applicant and the period of custody, he is entitled to be released on bail.

On the other hand, the counsel for the State has opposed the bail application and submitted that the applicant has past criminal antecedents and cases of similar nature registered against him.

Considering the submissions made by the counsel for the parties and looking to the period of custody and the allegation made against the applicant, I am inclined to enlarge applicant on bail. Therefore, without commenting anything on the merits of the case, this application is **allowed**.

It is directed that the applicant be released on bail upon his furnishing a personal bond in the sum of **Rs.1,00,000/- (Rupees One Lac)** with one solvent surety of the like amount to the satisfaction of the trial Court concerned for his appearance on the dates given by it.

It is further directed that the applicant shall abide by the conditions enumerated in Section 437(3) of the Code of Criminal Procedure.

Certified copy as per rules.

**(SANJAY DWIVEDI)**  
**JUDGE**

ac/-