

# Aakash Mukharjee vs The State Of Madhya Pradesh on 14 November, 2024

**Author: Anuradha Shukla**

**Bench: Anuradha Shukla**

NEUTRAL CITATION NO. 2024:MPHC-JBP:56203

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IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR  
BEFORE  
HON'BLE SMT. JUSTICE ANURADHA SHUKLA  
ON THE 14<sup>th</sup> OF NOVEMBER, 2024  
MISC. CRIMINAL CASE No. 45073 of 2024  
AAKASH MUKHARJEE  
Versus  
THE STATE OF MADHYA PRADESH  
Appearance:  
Shri Sourabh Shrivastava - Advocate for the applicant.  
Ms. Shanti Tiwari - Panel lawyer for the respondent-State.

## ORDER

It is informed by the learned counsel for the applicant that he has submitted his Vakalatnama today itself and the copy thereof has been shown to the Court.

Registry is directed to place the same on record.

This is the Second bail application filed by the applicant under Section 439 of the Code of Criminal Procedure 1973 for grant of bail relating to FIR/Crime No.41/2023 dated 24.04.2023 registered at Police Station Crime Branch Bhopal, District Bhopal (M.P.), for the offences punishable under Section 419, 420, 467, 468, 471, 120-B of IPC Act and Sections 66(D) of IT Act, 2008.

The earlier bail application was dismissed on merits vide order dated 13.12.2023 in M.Cr.C. No.52418/2023.

This second bail application has been argued on the ground that applicant is in custody since 15.07.2023. his earlier bail application was dismissed under M.Cr.C. No.52418/2023 for the reason that on the basis of his information, some amount involved in the crime was tracked in the bank account of the father of applicant and he was also involved in similar nature of crime as 100 pre-activated SIM cards were recovered from him as per the report prepared by inspector in-

NEUTRAL CITATION NO. 2024:MPHC-JBP:56203 2 MCRC-45073-2024 charge of Cyber cell Bhubaneswar, Orissa, but it is argued that applicant has been granted bail in said crime registered in Orrisa and for this annexure A/3 the order of High Court of Orissa has been placed on record. It has also been proposed that subject to protest, applicant is willing to deposit the amount involved in the crime.

This repeat application has been opposed by the State. Learned counsel for the parties have been heard and the case diary is perused.

Taking into consideration the facts argued and the proposal made, this repeat bail application is allowed.

It is directed that if applicant deposits Rs.50,000/- before the trial Court in the form of fixed deposit with a maturity period of one year, he shall 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 concerned for his appearance before the said Court on all such dates as may be fixed in this regard during pendency of the trial. The FDR shall be renewed after one year as per the directions of the trial Court and the deposited amount shall be disbursed pursuant to the decision of the trial Court.

It is further directed that the applicant shall comply with the provisions of Section 473(3) of Cr.P.C.

Accordingly, this M.Cr.C. stands allowed and disposed of .

(ANURADHA SHUKLA) JUDGE DevS