

# Rajendra Singh vs The State Of Madhya Pradesh on 15 March, 2021

**Author: Sushrut Arvind Dharmadhikari**

**Bench: Sushrut Arvind Dharmadhikari**

1  
The High Court Of Madhya Pradesh  
MCRC-10830-2021  
(RAJENDRA SINGH Vs THE STATE OF MADHYA PRADESH)

MCRC-10830-2021

Gwalior, Dated : 15-03-2021

Shri Sanjay Kumar Bahirani, Advocate for the applicant.

Shri Devendra Choubey, Public Prosecutor for the respondent/State.

Heard learned counsel for the parties.

Case diary perused.

This is the first application under Section 438 of the Code of Criminal Procedure filed by the applicant for grant of anticipatory bail.

Applicant apprehends arrest in connection with Crime No.798/2020 registered at Police Station Dehat, District Bhind for the offences punishable under Sections 272, 273, 420 of IPC.

The allegation against the applicant, in short, is that he was involved in selling adulterated milk from his dairy, namely; 'Sanju Dairy' run by the applicant and upon inspection of the dairy, adulterated milk, skinned milk powder, ghee and other material were seized. On the basis of the aforesaid, crime has been registered.

Learned counsel for the applicant submits that the applicant has been falsely implicated in the case. All the offences except offence under Section 420 of IPC are bailable in nature. Offence under the Food Safety and Standards Act, 2006 provides for penalty, for which separate case has already been registered. Learned counsel further submitted that in view of COVID-19 outbreak, detention of applicant in already congested prisons may be detrimental. Applicant is ready to cooperate in the investigation and to abide by all the terms and conditions as may be imposed by this Court. He is permanent resident of District Gwalior and there is no likelihood of absconson or tampering with the prosecution evidence. With the aforesaid submissions, prayer for grant of anticipatory bail is made.

In response, learned Public Prosecutor has opposed the anticipatory bail application and prayed for its rejection.

2 MCRC-10830-2021 Taking into consideration the facts and circumstances of the case, but without expressing any opinion on merits of the case, I deem it appropriate to extend the benefit of anticipatory bail to the applicant.

The application is, accordingly, allowed and it is hereby directed that in the event of arrest of applicant, he shall be released on bail on furnishing a personal bond in the sum of Rs. 50,000/- (Rs. Fifty Thousand only) with one solvent surety of the like amount to the satisfaction of the Arresting Authority subject to deposit of Rs.25,000/- (Rupees Twenty Five Thousand only) as a fine before the concerned trial Court. The applicant shall also furnish a written undertaking that he will abide by the terms and conditions of various circulars, as well as, orders issued by the Central Government, State Government and local administration from time to time such as maintaining social distancing, physical distancing, hygiene etc. to avoid proliferation of Corona virus.

This order will remain operative subject to compliance of the following conditions by the applicant :

1. The applicant will comply with all the terms and conditions of the bond executed by her;
2. The applicant will cooperate in the investigation/trial, as the case may be;
3. The applicant will not indulge herself in extending inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to the Police Office, as the case may be;
4. The applicant will not seek unnecessary adjournments during the trial; and
5. The applicant will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be.
- 6 . If the applicant commits any offence after being released on bail, then this order shall automatically stand cancelled without

3 MCRC-10830-2021 reference to the Court.

A copy of this order be sent to the Court concerned for compliance. C.C. as per rules.

(S. A. DHARMADHIKARI) JUDGE shanu\* SHANU RAIKWAR 2021.03.16 14:59:28 -07'00'