

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANJAY DWIVEDI

ON THE 27th OF FEBRUARY, 2023

MISC. CRIMINAL CASE No. 7588 of 2023

BETWEEN:-

RAJA PATERIA S/O LATE SHRI HARVANSH PATERIA,
AGED ABOUT 69 YEARS, OCCUPATION: SOCIAL
WORKER R/O GANDHI WARD HATA, POLICE STATION
HATA, DISTRICT DAMOH (MADHYA PRADESH)

.....APPLICANT

(BY SHRI SHASHANK SHEKHAR - SENIOR ADVOCATE WITH SHRI
SAMRESH KATARE - ADVOCATE)

AND

THE STATE OF MADHYA PRADESH THROUGH MAHILA
POLICE STATION PAWAI DISTRICT PANNA (MADHYA
PRADESH)

.....RESPONDENT

(BY SHRI L.A.S. BAGHEL - DEPUTY GOVERNMENT ADVOCATE)

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

ORDER

This is second bail application under Section 439 of the Code of Criminal Procedure on behalf of the applicant for grant of bail in connection with Crime No.472/2022 registered at Police Station Pawai, District Panna (M.P.) for the offence punishable under Sections 451, 504, 505 (1) (B), 505 (1) (C), 506, 153-B (1) (C) added 115, 117 of IPC. The applicant is in jail since 13/12/2022.

Learned counsel for the applicant submits that earlier bail application was rejected by this Court saying that looking to the manner in which crime has been

committed and the words used for the Prime Minister was not acceptable that too in a public meeting and therefore, the bail application of the applicant being M.Cr.C.No.61797/2022 passed on 10.01.2023 was rejected. He submits that charge-sheet has already been filed and looking to the period of custody of the applicant i.e. 13/12/2022, the bail application of the present applicant who was also Ex-Minister, may be considered.

Shri Baghel on the other hand opposed the bail application by contending that the earlier bail application of the applicant was rejected on merit and therefore, the second bail application without any change in circumstance can not be considered and the same deserves for dismissal.

Considering the earlier order and the liberty granted to the applicant to revive the application after the period of thirty days, I am inclined to consider and allow this bail application. Therefore, without commenting anything on the merits of the case, this bail 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)** each with one solvent surety each of the like amount to the satisfaction of the trial Court concerned for his appearance on the dates given by it.

O n being released on bail the applicant shall abide the conditions enumerated in Section 437 (3) of the Code of Criminal Procedure.

Certified copy as per rule.

(SANJAY DWIVEDI)
JUDGE