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MCRC-12149-2026

IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE RAJENDRA KUMAR VANI

ON THE 8<sup>th</sup> OF JUNE, 2026MISC. CRIMINAL CASE No. 12149 of 2026*CHHABILAL UAIKE**Versus**THE STATE OF MADHYA PRADESH*

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Appearance:

*Shri D.S. Parihar - Advocate for the applicant.*

*Shri D.K. Shukla - Panel Lawyer for the respondent/State.*

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ORDER

This is the first application filed by the applicant under Section 439 of the Cr.P.C./483 of the BNSS for grant of bail relating to Crime No.08/2025 registered at Police Station Roopjhar, District Balaghat (M.P.) for the offence under Sections 64(2)(m), 351(3), 332 of the IPC and under Section 66E, 67A of the IT Act.

2. Learned counsel appearing on behalf of the applicant submits that the applicant has been in judicial custody since 11.03.2025. It is further submitted that the FSL report is negative and, consequently, no DNA examination has been conducted by the prosecution. Learned counsel further submits that the prosecutrix and her father have already been examined as PW-1 and PW-2, respectively. Although the prosecutrix has supported the prosecution case in her examination-in-chief, she has fairly admitted during her cross-examination that she was in a love relationship with the present applicant. It is also submitted that the case diary contains certain



photographic material, however, the face of the woman is not discernible therein. Further, in paragraph 7 of her testimony, the prosecutrix has admitted that the applicant had not forcibly entered her house. Considering the prolonged period of incarceration undergone by the applicant and the infirmities in the prosecution case emerging from the material available on record, learned counsel contends that the applicant has a strong case on merits. It is further submitted that the applicant is ready and willing to abide by any condition that may be imposed by this Hon'ble Court. On the aforesaid grounds, learned counsel prays that the applicant be enlarged on bail.

3. *Per contra*, learned counsel for the State has opposed the bail application and prayed for its rejection.

4. Heard learned counsel for the parties and perused the case diary.

5. Considering the submissions advanced by learned counsel for the parties and keeping in view the attending facts and circumstances of the case, this Court is inclined to release the applicant on bail. Thus, without expressing any opinion of the merits of the case, the application is **allowed** with certain stringent conditions. It is directed that the applicant be released on bail on 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/committal Court.

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

*i) The applicant will comply with all the terms and conditions of the*



*bond executed by him;*

*ii) The applicant will cooperate in the investigation/trial, as the case may be;*

*iii) The applicant will not indulge himself 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 Officer, as the case may be;*

*iv) The applicant shall not commit an offence similar to the offence of which he is accused;*

*v) The applicant will not seek unnecessary adjournments during the trial;*

*vi) The applicant will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be;*

*vii) If any of the aforesaid conditions is violated, then this order shall lose its effect automatically.*

7. Copy of this order be sent to the trial Court concerned for compliance by the office of this Court.

Certified copy as per rules.

(RAJENDRA KUMAR VANI)  
V. JUDGE