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

**BEFORE
HON'BLE SHRI JUSTICE VISHAL DHAGAT
ON THE 5th OF SEPTEMBER, 2023**

MISC. CRIMINAL CASE No. 22645 of 2023

BETWEEN:-

**SMT. NARVADI BAI W/O HARCHAND MEENA, AGED
ABOUT 60 YEARS, OCCUPATION: NIL RESIDENT OF
VILLAGE SOJANA TEHSIL AND DISTRICT RAISEN
(MADHYA PRADESH)**

.....APPLICANT

(BY SHRI S.S. THAKUR - ADVOCATE)

AND

- 1. THE STATE OF MADHYA PRADESH THROUGH
POLICE STATION SALAMATPUR DISTRICT
RAISEN (MADHYA PRADESH)**
- 2. VASUDEO PAL BRANCH MANAGER CENTRAL
MADHYA PRADESH GRAMIN BANK BRANCH
SALAMATPUR TAHSIL AND DISTRICT (MADHYA
PRADESH)**

.....RESPONDENTS

(BY SHRI AJIT RAWAT - GOVERNMENT ADVOCATE)

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

ORDER

This is **first** bail application filed by the applicant under Section 438 of Code of Criminal Procedure for grant of anticipatory bail relating to Complaint Case No.336/2018 pending before Judicial Magistrate First Class, Raisen, District-Raisen (M.P.) for the offence punishable under Sections 465,468,471,120-B of the IPC.

2. Learned counsel appearing for applicant submitted that all offences

except offence under Section 468 of the IPC are bailable in nature. Offence under Section 468 of the IPC is punishable upto 7 years of imprisonment. Respondent has also filed civil suit against the applicant and decree has been passed for recovery of Rs.05 Lakh. Rs.1,60,000/- has been deposited in installment. Total loan which has been taken by applicant on basis of forged document was Rs.1,70,000/-. Applicant is a woman aged about 60 years. Considering the sentence prescribed for the offence and fact that same is triable by Judicial Magistrate First Class, applicant may be released on anticipatory bail.

3. Learned Government Advocate appearing for the State opposed the application for grant of anticipatory bail.

4. Heard the counsel for the parties.

5. Applicant is a woman aged about 60 years and is having immovable property in District-Raisen (MP). There is no likelihood that applicant will abscond from law. Offence is triable by Judicial Magistrate First Class and bailable in nature.

6. Considering aforesaid circumstance, bail application filed by applicant is **disposed off** directing Investigating Officer to give notice to applicant under Section 41-A and follow the procedure as prescribed in the case of **Arnesh Kumar Vs. State of Bihar** reported in **(2014) 8 SCC 273**.

7. Applicant is directed to co-operate in investigation of case and he will appear before Investigating Officer as and when required for investigation.

8. If applicant does not cooperate in investigation of case then the investigating officer is free to act in accordance with provisions of Criminal Procedure Code and directions issued by Apex Court in the case of **Arnesh**

Kumar (supra).

9. Trial Court may consider the application filed by applicant for regular bail expeditiously and not unnecessarily arrest the applicant, if not required.

10. With aforesaid, bail application is ***disposed off.***

11. Certified copy as per rules.

(VISHAL DHAGAT)
JUDGE

shabana

