

# Suresh vs The State Of Madhya Pradesh on 7 January, 2025

NEUTRAL CITATION NO. 2025:MPHC-IND:304

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MC

IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE  
BEFORE  
HON'BLE SHRI JUSTICE BINOD KUMAR DWIVEDI  
ON THE 7<sup>th</sup> OF JANUARY, 2025  
MISC. CRIMINAL CASE No. 55952 of 2024  
SURESH AND OTHERS  
Versus  
THE STATE OF MADHYA PRADESH

Appearance:  
Applicants by Shri Akhilesh Kumar Saxena - Advocate.  
Respondent - State of Madhya Pradesh by Shri Virendra  
Government Advocate appearing on behalf of Advocate General.

## ORDER

This first bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) = Section 439 of Code of Criminal Procedure, 1973 (Code) has been filed for grant of regular bail by applicant No.1 Suresh S/o Jainarayan Meena, applicant No.2 Maonj S/o Jainarayan Meena and applicant No.3 Shivraj S/o Ramsingh Meena, who have been arrested on 21.09.2024, 21.09.2024 and 16.09.2024 respectively in connection with Crime/FIR No.272 of 2024 registered at Police Station Suthaliya, District Rajgarh (MP) for commission of offence under Sections 103 (1), 109 (3), 191 (3), 296, 351 (3) and 190 Bhartiya Nyaya Sanhita, 2023 and also under Section 25 read with Section 27 of Arms Act, 1959.

2. As per the prosecution case, during incident one person (deceased Rupwatibai) has died; and Sarvan as well as Vinod have sustained injuries by NEUTRAL CITATION NO. 2025:MPHC-IND:304 2 MCRC-55952-2024 gun shot injuries. The allegation against the applicants is that they along with other co-accused persons were indulged in committing murder of the deceased.

3. Learned counsel for the applicants submits that the applicants are innocent and have falsely been implicated in the crime. It is submitted that deceased Rupwatibai has succumbed to gun shot injury and injured persons Sarvan and Vinod have been injured by gun shot injury. No overt act has been attributed to the present applicants. They have been allegedly present on the spot armed with Danda (except applicant Manoj, who was armed with Farsi), but they have not caused injury to any one with Danda / Farsi . The applicants have been arrested on 21.09.2024, 21.09.2024 and 16.09.2024 respectively. Investigation is complete and charge sheet has already been filed. The trial will take time. On these premises, learned counsel prays for grant of bail to the applicants by allowing the

application.

4. Per contra, learned counsel for the respondent / State has vehemently opposed the prayer on the ground that the applicants were also sharing common intention with the main accused Ramprasad Meena and Pappu @ Dharmendra S/o Mangilal, who fired bullets. Hence, on these grounds learned counsel prays for dismissal of the bail application.

5. Heard learned counsel for the parties with the aid of case diary.

6. In the aforesaid factual backdrop, considering the arguments advanced on behalf of the parties and overall circumstances of the case, this Court is inclined to grant benefit of bail to the applicants. Accordingly, without commenting on the merits of the case, bail application is allowed.

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7. It is directed that the applicants be released on bail upon each of them furnishing personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand Only) with separate solvent surety in the like amount to the satisfaction of the trial Court, for their regular appearance before the concerned Court for speedy disposal of the case, on all the dates fixed by the said Court, without any default, during trial. The applicants will abide by the conditions enumerated under Section 480 (3) of BNSS = 437 (3) of Code.

8. This order shall be effective till the end of the trial, however, in case of bail jump and / or breach of any of the conditions of bail, it shall become ineffective.

9. Accordingly, this M.Cr.C. stands allowed and disposed off. Certified copy, as per rules.

(BINOD KUMAR DWIVEDI) JUDGE rcj