

Somnath @ Sonu vs The State Of Madhya Pradesh on 13 February, 2025

NEUTRAL CITATION NO. 2025:MPHC-JBP:6853

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IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
BEFORE
HON'BLE SHRI JUSTICE DEVNARAYAN MISHRA
ON THE 13th OF FEBRUARY, 2025
MISC. CRIMINAL CASE No. 4171 of 2025
SOMNATH @ SONU
Versus
THE STATE OF MADHYA PRADESH
Appearance:
Shri Sushil Kumar Sharma - Advocate for applicant.
Shri S.K. Shrivastava - Government Advocate for State.

ORDER

This is the first application filed by the applicant under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023/Section 439 of Cr.P.C., 1973 for grant of regular bail relating to FIR/Crime No.472 of 2024 registered at Police Station Simariya, District- Panna (M.P.) for the offence punishable under Sections 108 and 3(5) of Bhartiya Nyaya Sanhita, 2023.

2. Learned counsel for applicant has submitted that the applicant has been falsely implicated in the case, actually on the date of incident, there was festival of Deepawali and deceased victim, applicant and their son were lighting the deepaks (earthen candles) and on that time child of victim and all of sudden the son spread the tarpeen oil and all of sudden fire took place and applicant, deceased victim and child got the burn injuries. He has further submitted that applicant also got the 30% burn injury whereas the child also got the 20% burn injury. FIR was lodged on 30.11.2024 and the statement of witnesses were recorded on 09.12.2024, there was no demand of dowry and as alleged itself that the victim was tortured on ground that she was not performing the domestic work. Nothing has been brought NEUTRAL CITATION NO. 2025:MPHC-JBP:6853 2 MCRC-4171-2025 on record against the applicant and there is no previous report or complaint against the applicant that he assaulted the victim to fulfill the demand of dowry, hence, the applicant is entitled to be released on bail.

3. Learned counsel for State has opposed the bail application and has submitted that victim's family members particularly her parents and relatives have stated that applicant was constantly harassing the victim and as a result victim committed suicide, hence, the applicant is not entitled for bail.

4. Heard the parties and perused the case diary.

5. Looking to the fact that applicant also got the burn injury of 30%, trial will take time to conclude and pre trial detention is not required, this Court finds it to be a fit case to release the applicant on bail. Therefore, without commenting on the merits of the case, the application is allowed.

6. It is directed that applicant shall be released on bail on his furnishing personal bond in a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with one surety in the like amount to the satisfaction of the trial Court concerned for his appearance before the concerned Court on all such dates as may be fixed by that Court in this regard during the pendency of trial.

7. It is further directed that the applicant shall comply with the provisions of Section 480(3) of BNSS.

8. Accordingly, this M.Cr.C. stands disposed of.

9. C.C. as per rules.

(DEVNARAYAN MISHRA) JUDGE DPS