

Smonti Singh @ Betu vs The State Of Madhya Pradesh on 25 February, 2025

Author: Maninder S. Bhatti

Bench: Maninder S. Bhatti

NEUTRAL CITATION NO. 2025:MPHC-JBP:8825

1
IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
BEFORE
HON'BLE SHRI JUSTICE MANINDER S. BHATTI
ON THE 25th OF FEBRUARY, 2025
MISC. CRIMINAL CASE No. 2705 of 2025
SMONTI SINGH @ BETU
Versus
THE STATE OF MADHYA PRADESH

Appearance:
Shri Manish Datt - Senior Advocate with Shri Sai Chirag Mishra
the applicant.
Shri C..K. Mishra - Government Advocate for the respondent

ORDER

This is first bail application filed by the applicant under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail relating to Crime No.424/2017 dated 05.07.2017 registered at Police Station Civil Lines, District Rewa for the offences punishable under Sections 307, 120-B, 109, 420, 467, 468 and 471 of IPC and Sections 25/27 of Arms Act.

2. Learned senior counsel for the applicant submits that the present applicant has been implicated on the basis of memorandum statement of co-

accused. The co-accused stated in their memorandum statement that they were assigned task to commit murder of one Sanjay Rock by present applicant and in furtherance of execution of said task, the gunshots were fired, however, no one sustained any injury. It is contended by the senior counsel that other co-accused persons have already been enlarged on bail including Pradeep @ Pankaj Patel as well as Dinesh Yadav by the trial Court NEUTRAL CITATION NO. 2025:MPHC-JBP:8825 2 MCRC-2705-2025 itself vide order dated 17.01.2018 (Annexure A/2). It is also contended that the applicant is aged about 37 years and he is in custody since 04.11.2024 and as the implication of the present applicant is solely based on the memorandum of co-accused, therefore, senior counsel submits that the applicant be released on bail.

3. Per contra, counsel for the respondent/State has opposed the application and submitted that there is memorandum of co-accused Dinesh Yadav which directly indicates the involvement of the present applicant and the present applicant was the brain behind the entire episode and he was the person who had deputed the co-accused persons to commit murder of one Sanjay Rock. It is contended by the counsel that in past, as many as 36 cases were registered against the applicant including the cases under Section 307 of IPC as well as the cases under M.P. Rajya Suraksha Adhiniyam. Thus taking into consideration the role of the present applicant, the application filed by the present applicant deserves to be dismissed.

4. Heard the submissions advanced on behalf of the parties and perused the case diary.

5. A perusal of case diary it reflects that the present applicant has been implicated on the basis of memorandum statement of co-accused persons. It is not the case of the prosecution that the present applicant himself fired any gunshot. It is also undisputed that other co-accused persons, namely Pradeep @ Pankaj Patel and Dinesh Yadav from whom the seizure of weapon has been made, have already been released on bail by the trial Court itself vide order dated 17.01.2018 (Annexure A/2). The past cases which were NEUTRAL CITATION NO. 2025:MPHC-JBP:8825 3 MCRC-2705-2025 registered against the applicant reflect that the last case was registered against the applicant in the year 2018 and since then, no case was registered against the applicant except the case in hand. The applicant is in custody since 04.11.2024.

6. Taking into consideration, the totality of the facts and circumstances of the case, this Court deems it to be a fit case to release the applicant on bail. Therefore, without commenting on the merit of the case, the application is allowed.

7. It is directed that applicant-Smonti Singh @ Betu shall be released on bail on his furnishing a 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 said Court on all such dates as may be fixed by that Court in this regard during the pendency of trial.

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

(MANINDER S. BHATTI) JUDGE sp