

# Prashant Tiwari vs The State Of Madhya Pradesh on 30 January, 2025

**Author: Sanjay Dwivedi**

**Bench: Sanjay Dwivedi**

NEUTRAL CITATION NO. 2025:MPHC-JBP:4721

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IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR  
BEFORE  
HON'BLE SHRI JUSTICE SANJAY DWIVEDI  
ON THE 30th OF JANUARY, 2025  
MISC. CRIMINAL CASE No. 172 of 2025  
PRASHANT TIWARI  
Versus  
THE STATE OF MADHYA PRADESH

Appearance:  
Shri Pratap Narayan Mishra - Advocate for the applicant.  
Shri S.K. Malvi - Panel Lawyer for the respondent/State.  
  
Shri Vikash Chouksey - Advocate for the objector.

## ORDER

This first application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 or Section 439 of the Code of Criminal Procedure, has been filed on behalf of the applicant for grant of bail relating to Crime No.418/2024 registered at Police Station- Pipariya, District- Narbadapuram, for the offence under Sections 296, 115(2), 118(1), 351(3), 3(5), 118(2), 109 of Bhartiya Nyaya Sanhita, 2023.

2. Learned counsel for the applicant submits that the applicant is in jail since 16.11.2024. He submits that though marpeet took place between the parties, both parties have made complaint against each other and have sustained injuries, but the injuries sustained by the complainant in the present case were grievous in nature, as such, offence under Section 118 of BNS got registered against the applicant. He further submits that the applicant bears no criminal record. He submits that looking to the period of NEUTRAL CITATION NO. 2025:MPHC-JBP:4721 2 MCRC-172-2025 custody, the bail application can be considered.

3 . Per contra, learned counsel for the State opposes the submissions made by learned counsel for the applicant and submits that the applicant has caused injury to the complainant with the help of iron tami, therefore, bail application deserves to be rejected.

4. Learned counsel for the objector also supports the submissions of learned counsel for the State and submits that the complainant has sustained injuries which were grievous in nature, therefore, the applicant is not entitled to be released on bail.

5. Considering the submissions of learned counsel for the parties, perusal of case-diary and looking to the nature of crime and also the fact that both the parties have sustained injuries vis-a-viz the period of custody, I am inclined to consider this bail application, therefore, without commenting anything on the merits of the case, the bail application is allowed.

6. It is directed that the applicant be released on bail upon his furnishing a personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand) with one solvent surety of the like amount to the satisfaction of the trial Court concerned for his appearance on the dates given by it.

7. On being released on bail, the applicant shall abide by the conditions enumerated in Section 480(3) of the Sanhita, 2023.

(SANJAY DWIVEDI) JUDGE Prachi