

Ramgopal vs The State Of Madhya Pradesh on 27 February, 2025

Author: Maninder S. Bhatti

Bench: Maninder S. Bhatti

NEUTRAL CITATION NO. 2025:MPHC-JBP:9193

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IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
BEFORE
HON'BLE SHRI JUSTICE MANINDER S. BHATTI
ON THE 27th OF FEBRUARY, 2025
MISC. CRIMINAL CASE No. 8989 of 2025
RAMGOPAL AND OTHERS
Versus
THE STATE OF MADHYA PRADESH
Appearance:
Shri Pramendra Singh Thakur - Advocate for the applicants.
Shri Nitin Gupta - Government Advocate for the respondent/

ORDER

This is first application under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023 has been filed on behalf of the applicants for grant of regular bail in connection with FIR No.33/2025 dated 28.01.2025 registered at Police Station Silwani, District Raisen for the offence punishable under Section 11(1) of Prevention of Cruelty to Animals Act, 1960 and Sections 4, 6 and 9 of Madhya Pradesh Govansh Vadh Pratishedh Adhiniyam.

2. Learned counsel for the applicant contends that present applicants have been subsequently implicated in the present case as the complaint was lodged against known person and later on, it is being alleged that there were two eye witnesses who identified the present applicant. It is contended by the counsel that the statement of eye witness, namely, Sudama has been recorded on 30.01.2025 subsequently just in order to implicate the present applicants and as per the prosecution, the incident had taken place in the intervening night of 27/28.01.2025 and recording of statement of eye witness, namely, NEUTRAL CITATION NO. 2025:MPHC-JBP:9193 2 MCRC-8989-2025 Sudama after two days raises suspicion regarding the manner in which the prosecution has proceeded with the investigation. Therefore, counsel submits that applicant deserves to be enlarged on bail as the seizure has already been made.

3. On the other hand, learned counsel for the respondent/State has opposed the prayer of bail and

submitted that taking into consideration the conduct of the applicants, 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 the case diary it reflects that the applicant is in custody since 31.01.2025. Previously the complaint was lodged against known person. As per the prosecution, the incident had taken place in the intervening night of 27/28.01.2025 and the statement of eye witness, namely, Sudama has been recorded on 30.01.2025 subsequently.

6. Thus, taking into consideration the totality of the circumstances of the case, this Court deems it to be a fit case to release the applicants on bail. Therefore, without commenting on the merit of the case, both the application is allowed.

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

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

(MANINDER S. BHATTI) JUDGE sp