

# Anil vs The State Of Madhya Pradesh on 21 February, 2025

NEUTRAL CITATION NO. 2025:MPHC-IND:4726

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IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE  
BEFORE  
HON'BLE SHRI JUSTICE BINOD KUMAR DWIVEDI  
ON THE 21st OF FEBRUARY, 2025  
MISC. CRIMINAL CASE No. 7737 of 2025  
ANIL  
Versus  
THE STATE OF MADHYA PRADESH  
Appearance:  
Shri Rizwan Nizam - Advocate for the applicant.  
Shri Kshitij Vyas - Public Prosecutor for the respondent.

## 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 Anil S/o Bhursingh Singad , who has been arrested on 23.10.2024 in connection with Crime/FIR No.626 of 2024 registered at Police Station Thandla, District Jhabua MP) for commission of offence under Sections 103 (1) and 238 of Bhartiya Nyaya Sanhita, 2023.

2. Learned counsel for the applicant submits that this is a case of no eye witness account. The applicant has falsely been implicated in the case merely on the basis of suspicion. The commission of offence is alleged only by prosecution witnesses Govind and Bahadur, who have stated that they have seen deceased Dinesh in the company of these applicant. Only one motorcycle has been recovered from Subhash, which is owned by himself NEUTRAL CITATION NO. 2025:MPHC-IND:4726 2 MCRC-7737-2025 and clothes have been recovered from Ishwar, but there is no blood stains or any FSL report on those clothes. Co-accused Subhash and Ishwar have been granted benefit of bail by this Court vide order dated 05/02/2025 passed in M.Cr.C.No.4384/2025. Learned counsel further submits that the applicant is suffering incarceration since 23.10.2024. He will abide by the terms and conditions which may be imposed on him, if he is enlarged on bail. Investigation is complete and charge sheet has already been filed. The trial will take time. On these premises and also looking to the parity with co- accused, learned counsel prays for grant of bail to the applicant by allowing the application.

3. Per contra, learned counsel for the respondent / State has vehemently opposed the prayer and prays for dismissal of the bail application.

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

5. In the aforesaid factual backdrop, considering the arguments advanced on behalf of the parties and overall circumstances of the case as well as looking to the evidence in entirety along with the fact that investigation is complete and charge sheet has already been filed, the applicant is suffering incarceration since 23.10.2024 and the case of the applicant is similar to the case of co-accused, who have been granted bail, this Court is inclined to grant benefit of bail to the applicant. Accordingly, without commenting on the merits of the case, bail application is allowed.

6. It is directed that the applicant be released on bail upon his furnishing personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand NEUTRAL CITATION NO. 2025:MPHC-IND:4726 3 MCRC-7737-2025 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 applicant will abide by the conditions enumerated under Section 480 (3) of BNSS = 437 (3) of Code.

7. 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.

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

(BINOD KUMAR DWIVEDI) JUDGE Tej