

Satyam Mishra vs The State Of Madhya Pradesh And Another on 24 January, 2025

Author: Sanjay Dwivedi

Bench: Sanjay Dwivedi

NEUTRAL CITATION NO. 2025:MPHC-JBP:3987

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IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
BEFORE
HON'BLE SHRI JUSTICE SANJAY DWIVEDI
ON THE 24th OF JANUARY, 2025
CRIMINAL APPEAL No. 512 of 2025
SATYAM MISHRA
Versus
THE STATE OF MADHYA PRADESH AND ANOTHER AND OTHERS
Appearance:
Shri Eshaan Datt - Advocate for the appellant.
Shri Tapan Bathhre - Panel Lawyer for the respondent/Stat

ORDER

This first bail application under Section 439 of the Code of Criminal Procedure in the shape of appeal under Section 14(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, has been filed on behalf of the appellant for grant of bail relating to FIR/Crime No.1519 of 2024 registered at Police Station Kolgawan, District Satna, for the offence under Sections 296, 115(2), 140(3), 108, 3(5) of the Bhartiya Nyaya Sanhita, 2023 and Sections 3(1) (da), 3(1)(dha), 3(2)(v-a) of the SC/ST Act. The appellant is in jail since 09.01.2025.

2. Learned counsel for the appellant has submitted that the appellant is innocent and has been falsely implicated in the alleged offence. He has submitted that as per case of prosecution, the appellant along with other accomplice being the agents of Bajaj Finance Company had misbehaved and abused the deceased to repay the installments of loan taken by him from the company and thereafter, the deceased committed suicide. It is contended that in the present case, no material ingredient of abetment is available. He has further submitted that in the FIR itself, it is mentioned that the appellant was not aware of caste of the deceased despite that NEUTRAL CITATION NO. 2025:MPHC-JBP:3987 2 CRA-512-2025 offence under the provisions of SC/ST Act has been registered against him. He has further submitted that the appellant has neither harassed nor abetted the deceased to commit suicide and in fact, no such evidence in this regard is available on record. He has further submitted that the appellant is having no criminal antecedents. Therefore, it is prayed

that looking to the aforesaid facts and circumstances of the case, the appellant may be enlarged on bail.

3. On the other hand, learned Panel Lawyer has opposed the submissions advanced by learned counsel for the appellant and submitted that looking to the nature of offence committed by the appellant, he is not entitled to be enlarged on bail. He has further submitted that one of the co-accused persons is still absconding. He has further submitted that looking to the conduct of the appellant, offence has rightly been registered against him.

4. Considering the arguments advanced by learned counsel for the parties and on perusal of case diary, I am inclined to allow this appeal. Thus, without commenting anything on the merits of the case, this appeal is allowed.

5. It is directed that the appellant 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.

6. On being released on bail, the appellant shall abide by the conditions enumerated in Section 480(3) of BNSS.

(SANJAY DWIVEDI) JUDGE dm