

Sanjay vs The State Of Madhya Pradesh on 22 March, 2025

NEUTRAL CITATION NO. 2025:MPHC-IND:7599

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IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE
BEFORE
HON'BLE SHRI JUSTICE BINOD KUMAR DWIVEDI
ON THE 22 nd OF MARCH, 2025
MISC. CRIMINAL CASE No. 11813 of 2025
SANJAY
Versus
THE STATE OF MADHYA PRADESH

Appearance:
Shri Nilesh Manore, learned counsel for the applicant.
Shri Surendra Kumar Gupta, learned Public Prosecutor for
respondent/State.

ORDER

This first bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (equivalent to Section 439 of Cr.P.C.) has been filed by the applicant Sanjay for grant of regular bail, who has been arrested on 29.10.2024 in connection with Crime No.624/2024 registered at Police Station Khachrod, Dist. Ujjain (M.P.) for commission of offences under Section 140(3), 61(2), 3(5), 140(2) of Bharatiya Nyaya Sanhita, 2023.

2. Learned counsel for the applicant submits that the applicant is suffering incarceration since 29.10.2024. He is innocent and has falsely been implicated in the crime. He has not been named by the abductee Arvind in his statement under section 183 of BNSS, 2023. Sufficient evidence is not available on record to establish the complicity of the accused with the alleged crime. Investigation is complete and charge sheet has been filed. He will abide by all the terms and conditions imposed by this Court. To bolster his submission, learned counsel for the applicant has referred the statement of co-accused Vinit Mandod recorded NEUTRAL CITATION NO. 2025:MPHC-IND:7599 2 MCRC-11813-2025 under section 23(2) of Bharatiya Sakshya Adhiniyam. There is no likelihood of his absconsion leaving his family, home and profession and also there is no likelihood of tampering with evidence by applicant. Conclusion of the trial will take considerable long time, therefore, learned counsel prays for allowing the bail application and for grant of bail.

3. Per contra, learned counsel for the respondent / State has vehemently opposed the prayer on the ground that the applicant along with the co-accused person Vinit Mandod hatched a conspiracy to abduct the complainant and after abduction, they assaulted the complainant and demanded the ransom. Learned counsel for the State by referring the statement of the co-accused Vinit Mandod recorded under section 23(2) of Bharatiya Sakshya Adhiniyam submits that the applicant has taken

active part in the abduction of complainant Arvind. Therefore, in such heinous offence which has been committed for collecting ransom, learned counsel for the State prays for dismissal of the bail application.

4. Heard learned counsel for the parties and perused the case diary.

5. In the aforesaid factual backdrop, looking to the evidence in entirety, the nature of offence and role of the applicant, this Court is not inclined to grant benefit of bail to the applicant. Application is dismissed.

(BINOD KUMAR DWIVEDI) JUDGE soumya