

Nanuram Ralotiya vs The State Of Madhya Pradesh on 11 February, 2025

NEUTRAL CITATION NO. 2025:MPHC-IND:3637

1
IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE
BEFORE
HON'BLE SHRI JUSTICE BINOD KUMAR DWIVEDI
ON THE 11th OF FEBRUARY, 2025
MISC. CRIMINAL CASE No. 3477 of 2025
NANURAM RALOTIYA
Versus
THE STATE OF MADHYA PRADESH
Appearance:
Applicant by Shri Ritu Raj Bhatnagar - Advocate.
Respondent - State of Madhya Pradesh by Shri Virendra
Government Advocate appearing on behalf of Advocate General.
Complainant - objector by Shri Kanishka Gupta - Advoc

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 Nanuram Ralotiya S/o Chandarlal Ralotiya, who has been arrested on 13.08.2024 in relation to Crime/FIR No.175 of 2024 registered at Police Station Nagjhiri, District Ujjain (MP) for commission of offence under Sections 64 (2) (m) and 351 (2) Bhartiya Nyaya Sanhita, 2023.

2. As per the prosecution case, the allegation against the applicant is that he committed rape upon the prosecutrix.

3. Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated in the crime. It is a case of NEUTRAL CITATION NO. 2025:MPHC-IND:3637 2 MCRC-3477-2025 consensual relationship. The victim is a married lady having one child. FIR is delay. The applicant is in jail since 13.08.2024. Investigation is complete and charge sheet has already been filed. The trial will take time. Therefore, on these miscellaneous grounds, learned counsel prays for grant of bail to the applicant by allowing the application.

4. Learned counsel for the complainant - objector has opposed the prayer on the ground that the applicant has committed rape upon the victim under threat to life of her child. She was taken away to Jodhpur where she was kept under threat for forty days. When the victim was recovered, she lodged FIR. In the aforesaid circumstances, learned counsel prays for dismissal of the application.

5. Per contra, learned counsel for the respondent / State has vehemently opposed the prayer on the ground that statement recorded under Section 183 of BNSS, the victim has supported the prosecution case; and prays for dismissal of the bail application.

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

7. In the aforesaid factual backdrop, considering the arguments advanced on behalf of the parties and overall circumstances of the case, when the investigation is complete coupled with the fact of period of custody of the applicant, 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.

8. 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:3637 3 MCRC-3477-2025 Only) with separate solvent surety in the like amount to the satisfaction of the trial Court, for his 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 not meet the complainant and tamper with the evidence in any way. The applicant will abide by Section 380 (3) of BNSS = 437 (3) of Code.

9. 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.

10. Accordingly, this M.Cr.C. stands allowed and disposed off. Pending interlocutory application, if any, stands disposed off. Certified copy, as per rules.

(BINOD KUMAR DWIVEDI) JUDGE rep