

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

NEUTRAL CITATION NO. 2025:MPHC-IND:7629

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IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE
BEFORE
HON'BLE SHRI JUSTICE BINOD KUMAR DWIVEDI
ON THE 22nd OF MARCH, 2025
MISC. CRIMINAL CASE No. 2457 of 2025
KULDEEP S/O SHAYAMLAL
Versus
THE STATE OF MADHYA PRADESH
Appearance:
Applicant by Shri Santosh Kumar Meena - Advocate.
Respondent - State of Madhya Pradesh by Shri Kamal Ku
Government Advocate appearing on behalf of Advocate General.

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 - Kuldeep S/o Shayamlal, who has been arrested on 01.08.2024 in connection with Crime/FIR No.359 of 2024 registered at Police Station Daloda, District Mandsaur MP) for commission of offence under Sections 103 (1), 238 and 64 (1) of Bhartiya Nyaya Sanhita, 2023.

2. Learned counsel for the applicants submits that it is a case of circumstantial evidence. The date of incident is 23.07.2024 and dead body of deceased Gattubai was recovered on 24.07.2024. Learned counsel further submits that as per the prosecution story, deceased Gattubai was taken on motorcycle by Imran and after that left in the company of Kuldeep, who took NEUTRAL CITATION NO. 2025:MPHC-IND:7629 2 MCRC-2457-2025 her away and on next day, she was found dead. Learned counsel also submits that FSL Report with regard to commission of offence has been found negative. The applicant has been arrested on 01.08.2024 and since then he is suffering jail incarceration. 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, 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 on the ground that the deceased was found dead after she was seen alive in the company of the applicant Kuldeep; mobile phone of the deceased has been recovered from the possession of the applicant; and there is ample evidence against him, therefore, bail may not be granted; 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 and looking to the evidence available on record, this Court is not inclined to grant benefit of bail to the applicant.

6. Accordingly, the present bail application is dismissed.

(BINOD KUMAR DWIVEDI) JUDGE rcp