

Anikesh Dhakad vs The State Of Madhya Pradesh on 12 March, 2025

NEUTRAL CITATION NO. 2025:MPHC-GWL:6049

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IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR
BEFORE
HON'BLE SHRI JUSTICE BINOD KUMAR DWIVEDI
ON THE 12th OF MARCH, 2025
THROUGH VIDEO CONFERENCING
MISC. CRIMINAL CASE No. 9070 of 2025
ANIKESH DHAKAD S/O RAKESH DHAKAD
Versus
THE STATE OF MADHYA PRADESH

Appearance:
Applicant by Mr. Pawan Kumar - Advocate.
Respondent - State of Madhya Pradesh by Ms. Ankita Ma
Prosecutor.
Complainant - objector by Mr. SPS Gurjar, Advocate.

ORDER

This repeat (third) bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 = Section 439 of Code of Criminal Procedure, 1973 (herein after referred to as the Code) has been filed by applicant Anikesh Dhakad S/o Rakesh Dhakad for grant of regular bail, who has been arrested on 06.08.2024 in connection with Crime No.548 of 2024 registered at Police Station Bahodapur, District Gwalior (M.P.) for commission of offence under Sections 109 and 3 (5) of Bhartiya Nyaya Sanhita, 2023 and also under Section 25 read with Section 27 of Arms Act, 1959. First application of the applicant (Miscellaneous Criminal Case No.42129 of 2024) has been dismissed by this Court vide order dated NEUTRAL CITATION NO. 2025:MPHC-GWL:6049 2 MCRC-9070-2025 18.10.2024 (Annexure A/2) as withdrawn; and his second bail application Miscellaneous Criminal Case No.50764 of 2024 was also dismissed on 31.01.2025 (Annexure A/1) as withdrawn with a liberty to revive the prayer after examination of some more material prosecution witnesses.

2. Learned counsel for the applicant submits that all the prosecution witnesses have been examined and even examination of the accused under Section 313 of the Code is complete, but the case could not be disposed off, as the Presiding Officer of the concerned Court has been transferred. Therefore, learned counsel prays for grant of bail on the contentions that the applicant has not shot injured Sonu whereas accused Siddharth Mahor, who has fired bullet on Sonu has already been granted bail by this Court in Miscellaneous Criminal Case No.46124 of 2024 vide order dated 31.01.2024 (Annexure A/5). Learned counsel for the applicant further submits that the applicant is suffering

incarceration since 06.08.2024, therefore, prays for allowing the application by releasing the applicant on bail.

3. Learned counsel appearing for the complainant - objector has opposed the prayer on the ground that Siddhardh was not identified by the injured and there are no chances of case not being disposed off in near future.

3.1 Learned counsel appearing for the respondent - State has also opposed the prayer and 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, when this case is going to going to concluded in near future, this Court is not inclined to grant bail to the NEUTRAL CITATION NO. 2025:MPHC-GWL:6049 3 MCRC-9070-2025 applicant.

6. Accordingly, Miscellaneous Criminal Case No.9070 of 2025 is dismissed with a direction to the learned trial Court to dispose off the case as early as possible preferably within a period of three months.

Pending interlocutory application, if any, also stands disposed off.

(BINOD KUMAR DWIVEDI) JUDGE (LJ*)