

Irfan Patel vs The State Of Madhya Pradesh on 20 March, 2025

NEUTRAL CITATION NO. 2025:MPHC-IND:7304

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IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE
BEFORE
HON'BLE SHRI JUSTICE BINOD KUMAR DWIVEDI
ON THE 20th OF MARCH, 2025
MISC. CRIMINAL CASE No. 11212 of 2025
IRFAN PATEL
Versus
THE STATE OF MADHYA PRADESH
Appearance:
Shri Manu Maheshwari, learned counsel for the applica
Shri Rahul Solanki, learned Public Prosecutor for the

ORDER

This is first bail application under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 (BNSS) = Section 438 of the Code of Criminal Procedure, 1973 (Code) for grant of anticipatory bail. The applicant is apprehending his arrest in relation to Crime/FIR No.125 of 2025 registered at Police Station Khajrana, Indore (M.P.) for commission of offence under 108, 238 and 3(5) of Bhartiya Nyaya Sanhita, 2023.

2. The allegation against the applicant is that due to his torture and mental harassment, on 13.01.2025 deceased Anjum Bee has committed suicide.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated. Learned counsel for the applicant further submits that under similar circumstances, co-accused Tayyaba Patel and Islam Patel have been enlarged on anticipatory bail by this Court vide order dated NEUTRAL CITATION NO. 2025:MPHC-IND:7304 2 MCRC-11212-2025 03.03.2025 passed in MCRC No.8311/2025. Applicant has not committed any offence even though some allegations of maltreatment and non-cooperation has been levelled against him but that is not sufficient to attract the ingredients of offence under Section 108 of BNS, 2023. The applicants is permanent resident of Patel Mohalla, Khajarana, Indore and there is no possibility of his absconsion. On these grounds, it is prayed that applicant may be released on anticipatory bail.

4. Learned counsel appearing for the respondent - State has opposed the prayer for anticipatory bail and prayed for its dismissal.

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

6. Considering the facts and circumstances of the case, the evidence in entirety and looking to the fact that co-accused have granted anticipatory bail under similar circumstances, but without expressing any opinion on the merits of the case, I am inclined to release the applicant on anticipatory bail. Consequently, the present application filed on behalf of applicant, stands allowed.

7. It is directed that in the event of arrest, applicant shall be released on bail upon his furnishing personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand Only) with separate solvent surety in the like amount to the satisfaction of the officer making arrest/Trial Court, for compliance with the following conditions:

(i) Applicant shall make himself available for investigation as may be directed by the Investigation Officer;

(ii) Applicant shall not commit or get involved in any offence in NEUTRAL CITATION NO. 2025:MPHC-IND:7304 3 MCRC-11212-2025 future;

(iii) Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them/him/her from disclosing such facts to the Court or to the police officer;

(iv) Applicant shall not directly or indirectly attempt to tamper with the evidence or allure, pressurize or threaten the witness; and

(v) During trial, the applicant shall ensure due compliance of provisions of Section 309 of Cr.P.C/346 of the BNSS. regarding examination of witnesses in attendance.

8. 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, this order will come to an end and applicant will be liable to be arrested by the concerned authorities.

9. The trial Court shall get these conditions reproduced on the personal bond by the accused and on surety bond by the surety concerned. If any of them is unable to write, the scribe shall certify that he had explained the conditions to the concerned accused or the surety.

10. Accordingly, this M.Cr.C. stands allowed and disposed off. Certified copy as per rules.

(BINOD KUMAR DWIVEDI) JUDGE soumya