

Radhe @ Radheshyam vs The State Of Madhya Pradesh on 16 May, 2025

NEUTRAL CITATION NO. 2025:MPHC-IND:13043

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IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE
BEFORE
HON'BLE SHRI JUSTICE BINOD KUMAR DWIVEDI
ON THE 16th OF MAY, 2025
MISC. CRIMINAL CASE No. 19409 of 2025
RADHE @ RADHESHYAM S/O MOHANLAL
Versus
THE STATE OF MADHYA PRADESH

Appearance:
Applicant by Shri Ajay Kumar Mishra - Advocate.
Respondent - State of Madhya Pradesh by Shri Vinod Thakur -
Government Advocate appearing on behalf of Advocate General.

ORDER

This repeat (second) application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 = Section 439 of Code of Criminal Procedure, 1973 has been filed for grant of regular bail by applicant - Radhe @ Radheshyam S/o Mohanlal, who has been arrested on 17.06.2024 in connection with Crime/FIR No.212 of 2024 registered at Police Station Palasia, District Indore (MP) for commission of offence punishable under Sections 384, 389, 182, 195 and 120-B of Indian Penal Code, 1860. First bail application of the applicant was dismissed on merit by this Court vide order dated 06.03.2025 in Miscellaneous Criminal Case No.7821 of 2025.

2. In brief, the prosecution case is that on 13.06.2024, the prosecutrix / co-accused had lodged an FIR bearing Crime No.210/ 2024 offence punishable under Sections 328, 376 and 506 of IPC at Police Station Palasia, NEUTRAL CITATION NO. 2025:MPHC-IND:13043 2 MCRC-19409-2025 Indore Urban against Sajal Mittal. During investigation of the aforementioned crime, father of Sajal Mittal namely; Satish Mittal filed an application on 14.06.2024 stating that the prosecutrix / co-accused has lodged a false report against his son Sajal, wherein Sajal has been arrested. After lodging of the aforesaid FIR, the prosecutrix along with her husband and other family members had sent message that they will get Sajal released in return of money. On 14.06.2024 when the complainant went to police station to meet Sajal, the prosecutrix and her husband met him. Both of them told the complainant that he met with them at Palasia Square. Thereafter he met the complainant and her husband then they demanded Rs.50,00,000/- to get Sajal released. Complainant expressed inability to pay the sum of money. Thereafter, the complainant met Sajal in the court premises then he told him that the prosecutrix is blackmailing him, he has not committed the offence and he has been falsely implicated. Complainant also came to know that the prosecutrix

being a lady runs a racket of blackmailing and by this she has gotten several persons into honey trap and has blackmailed all of them. She has had done 7 - 8 marriages, wherein after the marriage she used to flee away from there after taking gifts because of which she is also known as 'Luteri Dulhan'. On the basis of aforesaid written complaint an FIR was lodged on 15/06/2024 against the applicant and co-accused persons Neeraj, Shubhan, Rishi Choudhary, Radhey Pahalwan, Madan and prosecutrix. On completion of investigation of Crime No.210/ 2024, it was found that the prosecutrix had lodged false FIR against Neeraj and she has attempted extortion against him.

NEUTRAL CITATION NO. 2025:MPHC-IND:13043 3 MCRC-19409-2025 2.1 As per the prosecution, the only allegation against the applicant is that he responded on the message of co-accused Mamta Panwar, when she asked him to inquire about the status of Sajal Mittal.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case. The applicant has not committed any crime. The only allegation against the present applicant is that he has responded to the message of co-accused Mamta Panwar with regard to Sajal Mittal. The applicant is in custody since 17.06.2024. Co-accused persons namely Shubham Singh Rajput, Neeraj, Mamta Panwar, Rishi Choudhary and Madan have been granted bail by this Court vide orders dated 28.08.2024, 28.08.2024, 18.12.2024, 08.01.1025 and 01.10.2024 passed in Miscellaneous Criminal Case No.29339 of 2024, Miscellaneous Criminal Case No.29341 of 2024, Miscellaneous Criminal Case No.40319 of 2024, Miscellaneous Criminal Case No.55683 of 2024 and Miscellaneous Criminal Case No.40087 of 2024 respectively. The investigation is complete and charge sheet has already been filed. 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. The trial will take considerable long time for its conclusion, therefore, learned counsel prays for releasing the applicant on bail by allowing the present application on the ground of parity as also on merit.

4. Per contra, learned counsel for the respondent - State has vehemently opposed the prayer on the ground of dismissal of his earlier bail application on merit, therefore, he may not be extended the benefit of bail;

NEUTRAL CITATION NO. 2025:MPHC-IND:13043 4 MCRC-19409-2025 and prays for dismissal of the bail application.

5. Heard and considered rival submissions of the learned counsel for the parties with the aid of case diary.

6. In the aforesaid factual backdrop and considering the facts that the investigation is complete and other co-accused persons have already been enlarged on bail along with custody, this Court is inclined to grant benefit of bail to the applicant. Accordingly, without commenting on the merits of the case, the bail application is allowed.

7. It is directed that the applicant be released on bail on his furnishing a personal bond also in the sum of Rs.50,000/- (Rupees Fifty Thousand Only) with one solvent surety in the like amount to the satisfaction of the trial Court, for his regular appearance before the trial Court during trial with a

condition that he shall remain present before the concerned Court on all the dates fixed by it during trial. He shall abide by all the conditions enumerated under Section 480 (3) of BNSS, 2023.

8. The applicant will not indulge himself in any criminal activity in future. 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 concerned Court shall get the 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.

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

(BINOD KUMAR DWIVEDI) JUDGE rcg