



IN THE HIGH COURT OF MADHYA PRADESH  
AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE VIVEK JAIN

ON THE 1<sup>st</sup> OF OCTOBER, 2025

CRIMINAL APPEAL No. 7655 of 2025

*SOORAJBHAN*

*Versus*

*THE STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

Shri Arun Kumar Paterya, Advocate for the appellant.

Shri Samar Ghuraiya, Public Prosecutor for State.

Shri Sanjay Shukla, Advocate for the respondent/complainant.  
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ORDER

This is the first Criminal Appeal under Section 14-A (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, for grant of bail filed on behalf of appellant arising out of order dated 30.07.2025 passed by Special Judge(Atrrocities), Ashok Nagar in Case No.370/2025, whereby application for grant of regular bail of appellant has been rejected.

2. The appellant is in custody since 27.7.2025 in connection with FIR having Crime No.342/2025 registered at Police Station, Chanderi, District Ashok Nagar for the offences punishable under Sections 115(2), 296, 351(2), 191(2), 191(3), 326(g) of BNS and Sections 3(1)(da), 3(1)(dha) of the SC/ST (Prevention of Atrocities) Act.

3. Learned counsel for the appellant submitted that the appellant is in custody since 27.07.2025. It is contended by learned counsel for appellant that there was a cross case and in cross case the present appellant has sustained injury of fracture in iliac bone after he was hit in the iliac region by axe. It is contended



that as per prosecution version case is of free fight and occurred on account of dispute between the two rival groups to cultivate government land. It is alleged by that accused tried to evict the complainant party from said land and hit the other party and complainant party sustained grievous injuries and also set fire to their huts. It is argued that though there are fracture injuries on the two injured persons of the complainant party but those injuries are on fingers of hand and on hands which are not vital parts, whereas, the present appellant has sustained axe blow in the iliac region. It is further argued that so far as setting hut on fire is concerned those were not residential huts but only some articles collected in the open field. Hence, he prays for grant of bail to the appellant.

4. Per contra, Government Advocate for the State as well as counsel for complainant vehemently opposed the prayer for grant of bail on the basis that victim party are tribals and counsel for complainant referred to various newspaper reports as per which one of the huts was residential hut.

5. Heard.

6. Considering the submissions advanced by the learned counsel for the parties, but without commenting on the merits of the case, this Court is inclined to grant bail to the appellant. It is hereby directed that the appellant shall be released on bail on his furnishing personal bond of **Rs.50,000/- (Rupees Fifty Thousand only)** with one solvent surety of the like amount to the satisfaction of the trial Court concerned.

7. This order shall remain operative subject to compliance of following stringent conditions by the appellant:-

(a) The appellant will comply with all the terms and conditions of the bond executed by him.



(b) The appellant will not indulge himself in extending inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to the Police Officer, as the case may be.

(c) The appellant will cooperate in the trial and he shall not commit any offence similar to the offence of which he is accused;

(d) The appellant will not seek unnecessary adjournments during the trial;

(e) The appellant will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be;

(f) The appellant shall not move in the vicinity/village of the complainant party where he/she resides in any manner.

(g) Appellant shall not try to contact the complainant party in person or through any digital/electronic media otherwise, benefit of bail shall immediately be withdrawn.

(h) The appellant shall not involve himself in any criminal activity in future otherwise, benefit of bail shall immediately be withdrawn.

(i) In case of bail jump, this order shall become ineffective.

8. Criminal appeal stands **allowed and disposed of**.

9. A copy of this order be sent to the trial Court concerned for compliance and information.

10. C.C. as per rules.

(VIVEK JAIN)  
JUDGE