



1

MCRC-27595-2025

IN THE HIGH COURT OF MADHYA PRADESH  
AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE AMIT SETH

ON THE 30<sup>th</sup> OF JULY, 2025

MISC. CRIMINAL CASE No. 27595 of 2025

*DINESH MOURYA*

*Versus*

*THE STATE OF MADHYA PRADESH*

.....  
Appearance:

Shri Raj Kumar Shrivastava - Advocate for the applicant.

Shri Abhishek Singh Bhadoria - P.P. for respondent/State.  
.....

ORDER

The applicant has filed this first bail application under Section 482 of BNSS, 2023, seeking anticipatory bail in connection with Crime No.142/2025 registered at Police Station Padav, District Gwalior (M.P.) for the offence punishable under Sections 69, 296, 351 (3) of BNSS.

2. The applicant is apprehending his arrest in the aforesaid crime. The case of prosecution in short is that the prosecutrix lodged a police report on 2.4.2025 alleging that the present applicant being her acquaintance, committed sexual intercourse with her on the false promise of getting her in employment between 20.05.2020 to 14.01.2025.

3. The counsel appearing for the applicant submits that the prosecutrix is a married lady having 12 years old son. There has not been any promise to marry her. The offence under Section 69 of the BNSS is not made out and accordingly, prayer for enlargement on anticipatory bail is made.

4. On the other hand, the counsel appearing for the State opposes the application and submits that the allegations levelled by the prosecutrix are clear



and unambiguous which falls within the ambit of explanation appended to Section 69 of the BNSS i.e. committing sexual intercourse by deceitful means and false promise of employment. The defence of the applicant is not required to be considered at this stage, accordingly, prayer for rejection of the bail application is made.

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

6. I find much force in the objection raised by counsel appearing for the State even otherwise, from the material available in the case diary, at this stage, it is not open for this Court to accept the submissions advanced on behalf of the applicant.

7. Thus, it would not be desirable to enter into merits of the rival contentions at this juncture. It is well settled that the considerations governing grant of anticipatory bail are altogether different from those relevant for the prayer for regular bail.

8. Taking into consideration the totality of the facts and circumstances of the case and the role attributable to the present applicant in the instant incident in question, this Court does not deem it appropriate to enlarge the applicant on anticipatory bail. Accordingly, the present anticipatory bail application stands **rejected**.

(AMIT SETH)  
JUDGE