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MCRC-31565-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE AMIT SETH

ON THE 18th OF JULY, 2025MISC. CRIMINAL CASE No. 31565 of 2025*UPENDRA SINGH YADAV**Versus**THE STATE OF MADHYA PRADESH*

Appearance:

Shri Alok Kumar Sharma - Advocate for the applicant.

Ms. Padamshree Agrawal - Panel Lawyer for respondent/State.

WITH

MISC. CRIMINAL CASE No. 31374 of 2025*DEVENDRA SINGH**Versus**THE STATE OF MADHYA PRADESH*

Appearance:

Shri Akhilesh Dubey - Advocate for the applicant.

Ms. Padam Shri Agrawal - Panel Lawyer for respondent/State.

ORDER

Since these applications are arising out of same crime number registered at same police station, therefore, they have been heard together and are being disposed of by this common order.

2. These are the first applications filed by the applicants under Section 482 of B.N.S.S.(438 of Cr.P.C.) for grant of anticipatory bail to the applicants, who are apprehending their arrest in connection with Crime No.137/2025 registered at Police Station Lahar, District Bhind, for offences punishable under Sections 296,



115(2), 351(3), 125, 140(3), 3(5) of BNS.

3. The applicants are apprehending their arrest in connection with the aforesaid crime. As per the story of the prosecution, the present applicants along with co-accused abused the complainant party and committed marpeet. Applicant Devendra Rajput fired 2-3 aerial shots and forcefully abducted Ankush Sikarwar in their four wheeler and on the basis whereof, the offence was registered.

4. The counsel appearing for the applicants submit that the offences alleged against them are having punishment prescribed upto seven years and the bail application filed by the co-accused Ajay Dwivedi @ Ajju has been disposed of by the coordinate bench of this Court in the light of law laid down by the Hon'ble Supreme Court in the case of **Arnesh Kumar vs. State of Bihar, (2014) 8 SCC 273** .

5. On the other hand, counsel appearing for the State opposes the bail application and submits that the applicants are named accused in the matter. At this stage, the defence is not liable to be considered and accordingly, prays for rejection of the anticipatory bail applications.

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

7. However, finding no reason to interfere with the order passed by the learned court below, it is observed that the investigating authority shall comply with the dictum laid down by the Hon'ble Supreme Court in the case of **Arnesh Kumar (supra)**.

8. With the aforesaid, the applications stand **dismissed**.

(AMIT SETH)
JUDGE



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