

**IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE  
BEFORE**

**HON'BLE SHRI JUSTICE ANIL VERMA**

**ON THE 29<sup>th</sup> OF SEPTEMBER, 2023**

**MISC. CRIMINAL CASE No. 40949 of 2023**

**BETWEEN:-**

**INDRAJEET SINGH ALIAS YOGESH KUSHWAHA  
S/O NAWAB KUSHWAHA, AGED ABOUT 33 YEARS,  
OCCUPATION: AGRICULTURIST KIRRACH KA  
PURA, SUMAWALI, DIST. MORENA (MADHYA  
PRADESH)**

**.....APPLICANT**

**( BY SHRI PRADYUMNA KIBE- ADVOCATE)**

**AND**

**THE STATE OF MADHYA PRADESH STATION  
HOUSE OFFICER THROUGH POLICE STATION  
BANK NOTE PRESS, DISTRICT DEWAS (MADHYA  
PRADESH)**

**.....RESPONDENTS**

**( BY SHRI SANTOSH THAKUR GA )**

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*This application coming on for admission this day, the court passed  
the following:*

**ORDER**

This is the second application filed by the applicant for grant of regular bail under section 439 of the Code of Criminal Procedure, 1973 relating to FIR No.361/2022 registered at P.S- Bank Press Note, Dewas (MP) for the offence under sections 419, 420, 120-B of IPC.

2/ As per prosecution story, the candidates who had passed the exam of PST/PET were called on 20.05.2022 for the bio-metric test, During the process, it was found that credentials of one Pawan S/o. Kedar Gurjar on rolls with number 6006104826 were in disparity and

did not match the previously saved credentials, The saved photograph and the thumbprints of the candidate mismatched. During investigation, it was gathered that present applicant Indrajeet appeared in written test instead of co-accused Pawan. He prepared false signature in the name of co-accused Pawan and committed forgery. Accordingly, the aforementioned offence was registered and he was arrested.

3/ Learned counsel for the applicant contended that applicant is innocent and has been falsely implicated in this offence. Applicant is in custody since 23/05/2022. His first bail application was dismissed as withdrawn vide order dated 20/04/2023 passed in MCRC no. 14957/2023. Co-accused Pawan has already been enlarged on bail by Hon'ble Supreme Court vide order dated 22/08/2023 passed in SLP (Cri) no. 8033/2023 and case of the present applicant is similar to the case of co-accused Pawan. Present applicant has been implicated in the instant case only on the basis of memo under section 27 of Evidence Act given by the co-accused. He is permanent resident of District- Morena. Final conclusion of trial shall take sufficient long time. Hence, he prays that the applicant be released on bail.

4/ *Per-contra*, learned counsel for respondent – State opposes the bail application and prays for its rejection, but fairly admits that one criminal antecedent of similar nature has been found registered against the applicant at District – Gwalior.

5/ Perused the impugned order of the trial Court as well as the case dairy.

6/ Considering all the facts and circumstances of the case, arguments advanced by both the parties, nature of allegation as also taking note of the fact that case of present applicant is different from the case of co-accused Pawan, because the applicant appeared in the written

test in place of co-accused Pawan; four fake Adhar Cards have also been found in possession of the applicant; the offence is serious in nature; he is having criminal antecedent of similar nature and in view of the material evidence available on record, this Court is not inclined to grant bail to the applicant.

Accordingly, this **second** bail application filed under section 439 of Cr.P.C, being devoid of merit, is hereby **dismissed**.

Certified copy, as per Rules.

**(ANIL VERMA)**  
**J U D G E**

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