



1

MCRC-18765-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE SANJEEV S KALGAONKAR

ON THE 2nd OF MAY, 2025MISC. CRIMINAL CASE No. 18765 of 2025*ANKIT**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

.....
Appearance:

Shri Yogesh Kumar Gupta, Advocate for the applicant.

Shri Vinod Thakur, Govt. Advocate for the respondent/State.

.....

ORDER

This *first* application has been filed by applicant under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of bail in connection with Crime No.201/2025 registered at Police Station-Bhanwarkua, District Indore(M.P.) for offence punishable under Sections 69 and 296 of BNS, 2023. Applicant is in judicial custody since 01.04.2025.

As per the case of prosecution, prosecutrix aged around 24 years reported to S.H.O. of Police Station - Bhanwarkua, Indore,(M.P.) that she was in live-in-relationship since 14.05.2023 with Ankit Yadav(applicant), aged 26 years. Ankit promised to marry her and had physical relations with her. On 30.11.2024, around 10.00 in the night, Ankit came to house of her sister. They had physical relations. Thereafter, Ankit took her phone and deleted all the photographs and chats. Ankit declined to marry her and abused her in filthy language. On such allegation, Police Station-



Bhanwarkua, District Indore,(M.P.) registered FIR for offence punishable under Sections 69 and 296 of BNS, 2023 against Ankit Yadav. The statement of victim were recorded under Sections 180 and 183 of BNSS, 2023. The statements of other witnesses were also recorded. The applicant was arrested on 01.04.2025. He is in custody ever since. On completion of investigation, final report was submitted.

Learned counsel for the applicant submits that applicant is falsely implicated in this matter. No offence, as alleged, is committed by the applicant. Learned counsel submits that it is a case of consensual relationship between two well-educated adults. When the relationship turned sour, false allegation of rape is levelled against the applicant. The applicant is aged around 26 years. He runs a cafe and has family to look after. The trial would take time to conclude. Therefore, applicant may be extended the benefit of bail.

Per contra, learned counsel for the respondent/State opposes the bail application on the ground of gravity of alleged offence and cites four criminal antecedents against the applicant.

In reply, learned counsel for the applicant submits that the applicant referring to judgments of acquittal submits that applicant stand acquitted in Crime Nos.332/2021, 334/2021 and 56/2023. One matter registered at Crime No.460/2023 is pending for trial. The applicant has never been convicted.

Heard the arguments, perused the grounds for grant of bail stated in the application and the case diary.



Allegedly, the applicant committed rape with the prosecutrix on promise of marriage. The applicant and the prosecutrix are almost of same age. They were in live-in-relationship for substantially long period of time. Both of them are mature enough to understand the consequence. The veracity of prosecution will be considered after evidence in the trial. The applicant is aged around 26 years, he runs a cafe and has responsibility of his family. Considering these aspects, there appears to be no possibility of fleeing from justice. In absence of substantial criminal past and previous conviction for any major offence, considering the socio-economic status of the applicant, there appears to be no likelihood of tampering with evidence or influencing the witnesses by the applicant. The trial would take time to conclude. There appears to be no compelling reason to continue incarceration of the young applicant. However, the observations, herein-above, are recorded for present application only.

Considering the rival contentions and overall circumstances of the case, in the light of aforesaid facts, but without commenting on the merits, this Court is inclined to release the applicant on bail. Thus, present application is allowed.

Accordingly, it is directed that **applicant - Ankit Yadav** shall be released on bail in connection with the crime as stated in para-1 of this order, upon furnishing personal bond and surety bond of amount, as may be considered appropriate by the Trial Court for compliance with conditions, as may be imposed by such Court under Section 437(3) of Cr.P.C. 1973/



Section 480(3) of BNSS, 2023, to secure presence of the applicant for the trial.

This order shall be effective till the end of trial. However, in case of breach of any of the preconditions of bail, the Trial Court may consider, on merit, cancellation of bail without any impediment of this order.

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.

C.C. as per rules.

(SANJEEV S KALGAONKAR)
JUDGE