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MCRC-19277-2025

IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE PREM NARAYAN SINGH

ON THE 2<sup>nd</sup> OF MAY, 2025MISC. CRIMINAL CASE No. 19277 of 2025*SALAMAT**Versus**THE STATE OF MADHYA PRADESH*

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Appearance:

*Shri Deepak Kumar Rawal, Advocate for the applicant.*

*Ms. Neelu Khetra, Dy. G.A. for the non-applicant/State.*

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ORDER

Heard with the aid of case diary.

This is second application filed by the applicant under Section 483 of the BNSS/439 of Cr.P.C. for grant of bail in connection with FIR/Crime No.72/2023 dated (not mentioned) registered at Police Station-Sarangpur, District-Rajgarh (MP) for offence punishable u/S 454, 307, 294, 34, 324 and 120-B of IPC. Applicant is in custody since 29.07.2024. Applicant's first bail application was dismissed as withdrawn vide order dated 30.08.2024 passed in MCRC No.34858/2024 with liberty to file appropriate proceedings.

2. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present crime. It is submitted that earlier offence was registered u/S 454, 307, 294 and 34 of IPC. Later on, it was found that applicant was not present at the spot therefore, he was aided in the offence with the help of Section 120-B of IPC. On that basis, bail application was filed before the Trial Court and his application was allowed vide order dated 19.05.2023. Thereafter, one other offence has been registered against the applicant



u/S 307 of IPC. After registration of that offence, application for cancellation of bail has been filed before the Trial Court and in pursuance of which, learned Trial Court has cancelled the bail vide order dated 29.07.2024. In this sequence, applicant has filed a petition u/S 528 of BNSS before this Court for setting aside the order of cancellation of bail. The said petition was dismissed as withdrawn vide order dated 01.04.2025 passed in MCRC No.38197/2024 with liberty to file fresh bail application before the Trial Court and if required, before this Court also. Thereafter, bail application was filed before the Trial Court and the Trial Court has again rejected the bail of the applicant vide order dated 04.04.2025. It is further submitted that in another subsequent offence u/S 307 of IPC, applicant was already released on bail by the Trial Court vide order dated 23.04.2025. Counsel has further submitted that all the offences are registered only at the behest of same complainant. Applicant is in custody since 29.07.2024 and has completed more than 10 months. Applicant is involved in the present crime only with the aid of Section 120-B of IPC. Conclusion of trial will take sufficient long time. Investigation of over and charge-sheet has been filed. Under these circumstances, prayer was made for grant of bail to the applicant.

3. Learned counsel for the State has opposed the application and prayed for its rejection by submitting that applicant has seven criminal antecedents.

4. In reply, counsel for the applicant submits that only on the basis of past criminal records, accused cannot be detained in custody for an indefinite period specially, when the applicant is only implicated with the aid of Section 120-B of IPC.

5. I have heard the learned counsel for the parties and perused the record.

6. Looking to overall facts and circumstances of the case and arguments advanced by counsel for the parties and custody period of the applicant, this Court



is of the view that it is a fit case to grant bail to the applicant hence, without commenting on the merits of the case, this application is allowed.

7. It is directed that the applicant be released on bail on his/her furnishing a personal bond in the sum of **Rs.50,000/- (Rupees Fifty Thousand Only)** with one solvent surety in the like amount to the satisfaction of the Trial Court for securing his/her presence before the said Court on all the dates of hearing fixed in this regard during trial. It is also directed that the applicant shall comply with the provisions of Section 480(3) of the BNSS.

8. This order shall remain effective till the end of the trial, but in case of bail jump and breach of any of the pre-condition of bail, it shall become ineffective and cancelled without reference to this Bench.

9. With the aforesaid, this application is allowed and stands disposed of.

Certified copy, as per Rules.

**(PREM NARAYAN SINGH)**  
**JUDGE**