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MCRC-20132-2025

IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE SUBODH ABHYANKAR

ON THE 31<sup>st</sup> OF JULY, 2025MISC. CRIMINAL CASE No. 20132 of 2025*SADIK @ SADDU @ SOHAIL**Versus**THE STATE OF MADHYA PRADESH*

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Appearance:

*Shri Yogesh Kumar Gupta - Advocate for the applicant.*

*Shri Vishal Singh Panwar- G.A. for the State.*

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ORDER

They are heard. Perused the challan papers.

2] This is the applicant's **second** bail application filed under Section 483 of B.N.S.S./ 439 of Criminal Procedure Code, 1973, as he/ she is implicated in connection with Crime No.533/2021 registered at Police Station Bhanwarkua, District Indore (MP) for offence punishable under Sections 302, 323, 147, 148 and 149 of the IPC, and Section 25 of the Arms Act. The applicant is in custody since 11.04.2024. His first bail application M.Cr.C. No.41308 of 2024 was dismissed by this Court vide order dated 04.10.2024 as withdrawn.

3] The allegation against the applicant is that of his involvement in the aforesaid case of murder.

4] Counsel for the applicant has submitted that the name of the applicant does not appear in the *Dehati Nalishi*, which was recorded on 01.07.2021 at 23:30 hours, and the names of the accused persons are mentioned as Mohit, Montu and Ankit, whereas, the FIR has been lodged on 02.07.2021 at 03.20 a.m. in the night at the instance of Deepanshu, who had earlier lodged the *Dehati Nalishi*. It is also submitted that the material witnesses have already been examined in the Trial Court, and none have



supported the case of the prosecution and they have been declared hostile. Copies of their deposition have also been filed on record. It is further submitted that the applicant is lodged in jail since 11.04.2024 and the final conclusion of trial is likely to take sufficient long time. Thus, the application may be allowed.

5] Counsel for the State, on the other hand, has opposed the prayer, and it is submitted that no case for interference is made out, as it is a case where two persons namely Amit Mujalde and Mayank Kanase have been murdered by the accused persons.

6] Having considered the rival submissions, on perusal of the case-diary, and considering the fact that the eye witnesses have not supported the case of the prosecution, and the name of the applicant also does not find place in the FIR, coupled with the fact that the applicant is lodged in jail since 11.04.2024, this Court is inclined to allow the present application.

7] Accordingly, without commenting on the merits of the case, the application filed by the applicant is allowed. The applicant is directed to be released on bail upon furnishing a personal bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one solvent surety of the like amount to the satisfaction of the trial Court for his/her regular appearance before the trial Court during trial with a condition that he / she shall remain present before the court concerned during trial and shall also abide by the conditions enumerated under Section 437 (3) Criminal Procedure Code, 1973.

8] M.Cr.C. stands *allowed* and *disposed of*.

Certified copy as per rules.

(SUBODH ABHYANKAR)  
JUDGE