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MCRC-2258-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE BINOD KUMAR DWIVEDI

ON THE 22nd OF JANUARY, 2025MISC. CRIMINAL CASE No. 2258 of 2025*CHANDRABHAN SINGH**Versus**THE STATE OF MADHYA PRADESH*

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Appearance:

Shri Mitesh Jain, learned counsel for the applicant.

*Shri Rajendra Singh Suryavanshi, learned Public Prosecutor for the
respondent/State.*

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ORDER

This second bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (equivalent to Section 439 of Cr.P.C.) has been filed by the applicant-Chandrabahan Singh S/o Radhmohan Singh for grant of regular bail, who has been arrested on 25.10.2024 in connection with Crime No.35/2024 registered at Police Station STF, District Indore (M.P.) for commission of offences under Section 111 of Bharatiya Nyaya Sanhita, 2023 and Sections 25(1-A),25(1-AA), 25(1-B),25(1-B)(c) of the Arms Act. His first application was dismissed as withdrawn with liberty to revive his prayer after filing of the charge sheet vide order dated 08.01.2025 in M.Cr.C.No.54571/2024.

2. As per prosecution case, the allegation against the applicant is that two country made pistols were recovered from the possession of the applicant on



25.10.2024. Accordingly, offence has been registered against him.

3. Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated in the crime. No other case is registered against him of the same nature. There is no sufficient evidence available on record to establish the complicity of the accused with the alleged crime. Investigation is complete and charge sheet has been filed. There is no likelihood of his absconsion leaving his family, home and profession and also there is no likelihood of tampering with evidence by applicant. Final conclusion of the trial will take considerable long time, therefore, learned counsel prays for allowing the bail application and for grant of bail.

4. Per contra, learned counsel for the respondent / State has vehemently opposed the prayer and prays for dismissal of the bail application on the ground of criminal antecedents.

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

6. In the aforesaid factual backdrop, this Court is inclined to grant benefit of bail to the applicant. Accordingly, without commenting on the merits of the case, the bail application is allowed.

7. It is directed that the applicant be released on bail upon his furnishing personal bond in the sum of Rs.50,000/- (**Rupees Fifty Thousand Only**) with separate solvent surety in the like amount to the satisfaction of the trial Court, for his regular appearance before the concerned Court on all the dates fixed by the said Court, without any default, during trial. He shall abide by all the conditions enumerated under Section 480(3) of BNSS.

8. The applicant will not indulge himself in any criminal activity in future.



This order shall be effective till the end of the trial, however, in case of bail jump and / or breach of any of the conditions of bail, this order will come to an end and applicant will be liable to be arrested by the concerned authorities.

9. 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.

10. Accordingly, this M.Cr.C. stands allowed and disposed off.

Certified copy as per rules.

(BINOD KUMAR DWIVEDI)
JUDGE

RJ