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MCRC-30117-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE SUBODH ABHYANKAR

ON THE 6th OF AUGUST, 2025

MISC. CRIMINAL CASE No. 30117 of 2025

ANKUSH

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Nilesh Manore - Advocate for the applicant.

Shri K K Tiwari -GA appearing on behalf of Advocate General[r-1].
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ORDER

- 1] They are heard and perused the case diary.
- 2] This is the **applicant's first bail application** filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023/ Section 439 of Cr.P.C. as he is implicated in connection with Crime No.99/2025 registered at Police Station Meghnagar District Jhabua for offence punishable under Sections - 64(1) of IPC/BNSS, 2023 and Sec. 3/4 and section 5(J)(ii) of POCSO Act. The applicant is in custody since 27.4.2025.
- 3] The allegation against the applicant is of abduction and rape.
- 4] Counsel for the applicant has submitted that the prosecutrix has already been examined before the trial Court and has not supported the case of the prosecution and that she had resided with the applicant for a period of two months and has submitted that the applicant has not done anything wrong with her and she was a consenting party, which is also reflected from her statement recorded under Section 183 of BNSS/164 of Cr.P.C. It is also submitted that the age of the prosecutrix is disputed and that the applicant is lodged in jail since 27.4.2025, and the final conclusion of the trial will take a sufficient long time. Thus, it is prayed that the application be allowed.
- 5] Counsel for the State on the other hand has opposed the prayer.



6] On due consideration of submissions and on perusal of the case diary as also the statement of the prosecutrix and the final conclusion of the trial will take sufficient long time, 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 hereby 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] Accordingly, the application is allowed and disposed of.
C.c. as per rules.

(SUBODH ABHYANKAR)
JUDGE

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