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MCRC-30123-2025

IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE SUBODH ABHYANKAR

ON THE 6<sup>th</sup> OF AUGUST, 2025MISC. CRIMINAL CASE No. 30123 of 2025*ARYAN@AKASH**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

Shri Savya Sachi SaXEna - Advocate for the applicant.

Shri K K Tiwari -GA appearing on behalf of Advocate General.

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ORDER

- 1] They are heard and perused the case diary.
- 2] This is the **applicant's second 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.85/2024** registered at **Police Station Maingaon District Khargone** for offence punishable under Sections 363, 366,344, 376,376(2) of IPC and Sec. 3/4 and 5(L) and 6 of POCSO Act. The applicant is in custody since 20.3.2024. His earlier bail application was dismissed as withdrawn by the coordinate Bench of this Court vide order dated 22.12.2024 passed in MCRC.No.53881/2024.
- 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 two to three days, 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 20.3.2024, 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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