



1

MCRC-30465-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE SUBODH ABHYANKAR

ON THE 25th OF JULY, 2025

MISC. CRIMINAL CASE No. 30465 of 2025

MANOJ

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Tarun Kushwah - Advocate for the applicant.

Shri Tarun Pagare-GA appearing on behalf of Advocate General.
.....

ORDER

1] They are heard and perused the case diary.

2] This is the applicant's **third 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.84/2023** registered at Police Station Sailana, District- Ratlam(MP) for offence punishable under Sections 363,366,376(2)(N) of IPC/ Bharatiya Nyaya Sanhita, 2023 and Section 5L/6, 5 (J-II)/6 of POCSO Act. The applicant is in custody since 27/4/2023.

3] Earlier bail application of the applicant was dismissed as withdrawn with a direction to call other witnesses, including the prosecutrix and make every endeavor to conclude the trial as early as possible by the coordinate Bench of this Court in MCRC.No.30023 of



2024 vide order dated 26/9/2024.

4] Counsel for the applicant has submitted that at that time although the prosecutrix was already examined but could not be brought to the notice of this Court. It is further submitted that the age of the prosecutrix is disputed, and the prosecutrix and the material witnesses have already been examined.

5] Counsel for the applicant has further submitted that the prosecutrix had resided with the applicant for around 21 days and was a consenting party and only under the pressure of her family members, she has lodged the FIR. It is further submitted that the applicant is been in jail since 27/4/2023 and the final conclusion of trial will take sufficient long time. Thus, it is prayed that the application be allowed.

6] Counsel for the State on the other hand has opposed the prayer and it is submitted that the mother of the prosecutrix has supported the case of the prosecution.

7] On due consideration of submissions and on perusal of the case-diary as also the statement of the prosecutrix, this Court finds that since the prosecutrix has already been examined and admittedly she has resided with the applicant for around 21 days, thus, this Court is inclined to allow the present application.

8] 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.

9] Accordingly, the application is allowed and disposed of.

C.c. as per rules.

(SUBODH ABHYANKAR)
JUDGE

das