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MCRC-33868-2025

IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE SUBODH ABHYANKAR

ON THE 21<sup>st</sup> OF AUGUST, 2025MISC. CRIMINAL CASE No. 33868 of 2025*ANUJ**Versus**THE STATE OF MADHYA PRADESH*

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Appearance:

Shri Vivek Singh, senior advocate with Shri Arpit Singh, counsel for the applicant.

Shri Vishal Singh Panwar - G.A. appearing on behalf of Advocate

General[r-1].  
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ORDER

1. They are heard. Perused the case diary / challan papers.

2. This is **second** bail application filed by the applicant under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023 (439 of Cr.P.C.) as he/she is implicated in connection with Crime No.537/2023 registered at Police Station Kanadiya, Indore (MP) for offence punishable under Section 307, 341, 147, 148, 149, 302. The applicant is in custody since 06/10/2023. His first bail application M.Cr.C. No.20890/2024 was dismissed by this Court on 12/07/2024 with liberty to renew prayer after the injured and eyewitnesses are examined.

3. The allegation against the applicant is of his involvement in the aforesaid case of murder of one Deepak S/o Laxminarayan Sondhiya.

4. Learned senior counsel for the applicant has submitted that the material witnesses have already been examined and there are material omissions and contradictions in their statements. It is also submitted that the name of the



applicant is mentioned in the discloser memo of the other accused persons and no overt act is attributed to him. It is also submitted that the applicant is lodged in jail since 06/10/2023 and final conclusion of the trial is likely to take sufficient long time. Hence, it is prayed that the application be allowed and the applicant be released on bail.

5. Counsel for the respondent / State, on the other hand has opposed the prayer and it is submitted that no case for grant of bail is made out.

6. Having considered the rival submissions and perusal of the case diary as also the documents filed on record, it is found that in the application, learned counsel for the applicant has nowhere stated if the injured witness has been examined, although from the documents filed by the counsel for the applicant, it is found that PW/6 Rajkumar, the injured witness has already been examined and he has recognized all the accused persons, and the discrepancy in their deposition regarding test identification parade can only be appreciated by the trial Court while passing the judgment. In such circumstances, this Court does not find it to be a fit case for grant of bail.

7. M.Cr.C. is accordingly *dismissed*.

(SUBODH ABHYANKAR)  
JUDGE