



IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE SUBODH ABHYANKAR

ON THE 4<sup>th</sup> OF SEPTEMBER, 2025

MISC. CRIMINAL CASE No. 37859 of 2025

*SHAIKH NAZIR @ ALFEZ*

*Versus*

*THE STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

*Shri Nilesh Dave - Advocate for the applicant.*

*Shri Virendra Khadav- G.A. for the State.*

*Ms. Archana Maheshwari- Advocate for the objector.*  
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ORDER

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

2] This is the applicant's first bail application filed under Section 483 of Bharatiya Nagrik Suraksha Sanhita, 2023/ 439 of Criminal Procedure Code, 1973, as he / she is implicated in connection with Crime No.207/2025 registered at Police Station Sanawad, District Khargone (MP) for offence punishable under Sections 137(2), 87, 64(2)(M) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 3/4 and 5(L)/6 of POCSO Act. The applicant is in custody since 05.06.2025.

3] Allegation against the applicant is that he also accompanied the main accused Mahin, against whom it is alleged that he was earlier engaged to the prosecutrix, and subsequently, on account of a dispute, the FIR has been lodged.

4] Counsel for the applicant has submitted that there is no allegation of rape against the applicant, except that he was also present on the spot when the prosecutrix left with the main accused along with other accused persons. It is also submitted that the prosecutrix has no objection if the bail application is allowed. It is further submitted that the applicant is lodged in jail since 05.06.2025 and the



final conclusion of trial is likely to take sufficient long time. Hence, it is submitted that the bail application be allowed and he be released on bail.

5] Counsel for the objector/prosecutrix has also submitted that she has no objection if the bail application is allowed.

6] Counsel for the respondent / State, on the other hand has opposed the prayer.

7] Having considered the rival submissions, perusal of the case diary as also the documents filed on record, and considering the fact that the prosecutrix has no objection if the application is allowed and the main allegations are against co-accused Mahin, 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 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] M.Cr.C. stands *allowed* and *disposed of*.

Certified copy as per rules.

(SUBODH ABHYANKAR)  
JUDGE