



1 MCRC-38849-2025
IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE
HON'BLE SHRI JUSTICE SUBODH ABHYANKAR

ON THE 8th OF SEPTEMBER, 2025

MISC. CRIMINAL CASE No. 38849 of 2025

MANISH

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Ashish Gupta - Advocate for the applicant.

Shri Tarun Pagare - G.A. for respondent/State.

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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.505/2025 registered at Police Station Barwani, District- Barwani (MP) for offence punishable under Sections 137(2), 87, 64(2)(M), 65(1) & 127(3) of B.N.S., 2023 and Sections 3/4 and 5-L/6 of POCSO Act. The applicant is in custody since 13.07.2025.

3] The allegation against the applicant is of abduction and rape.

4] Counsel has submitted that the prosecutrix has resided with the applicant for around 7 days, and even in her statement recorded under Section 183 of B.N.S.S. she has stated that she was a consenting party. It is also submitted that her age is also disputed. Thus, it is prayed that the application be allowed.



5] Counsel for the State has opposed the prayer.

6] Having considered the rival submissions, perusal of the case-diary and the statement of the prosecutrix recorded under Section 183 of B.N.S.S., and the fact that she has resided with the applicant for around 7 days, her age is also disputed, 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