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MCRC-39561-2025

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. 39561 of 2025

AAKASH

Versus

THE STATE OF MADHYA PRADESH

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Appearance:

Shri Ajay Jain - Advocate for the applicant.

Shri K. K. Tiwari - 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 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.362/2024 registered at Police Station Bistan, District- Khargone (MP) for offence punishable under Sections 137(2), 87, 64(2)(m) & 142 of B.N.S. and Sections 5(1)/6 of POCSO Act. The applicant is in custody since 21.12.2024. His first bail application M.Cr.C. No.8679 of 2025 was dismissed by this Court on 01.03.2025 as withdrawn with liberty to renew the prayer after recording the statement of the prosecutrix.

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

4] Counsel has submitted that the prosecutrix has already been examined, and has not supported the case of the prosecution. Copy of her



deposition is also filed on record. 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, 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

Pankaj