



1

MCRC-46929-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE SANJEEV S KALGAONKAR

ON THE 29th OF OCTOBER, 2025MISC. CRIMINAL CASE No. 46929 of 2025*VIKAS GOYAR @ VIKKIYA**Versus**THE STATE OF MADHYA PRADESH*

.....
Appearance:

Shri Daya Nath Pandey - Advocate for the applicant.

Shri Apoorv Joshi GA for the State.

.....

ORDER

1. This **fourth** bail application has been filed by applicant under Section 483 of Bharatiya Nagarik Suraksha Sanhita 2023 for grant of regular bail in connection with Crime No. 291/2024 registered at Police Station-Manakchowk, Ratlam, District- Ratlam (M.P.) for offence punishable under Sections 302, 147, 148 of the IPC and section 25 of the Arms Act. Applicant is in judicial custody since 31/05/2024. First and second bail applications of the applicant were dismissed as withdrawn *vide* orders dated 29.11.2024 and 10.7.2025 passed in MCRC No. 50895/2024, and MCRC No.27724/2025, the third temporary bail application was dismissed *vide* order dated 26.10.2025 passed in MCRC No. 35104/2025.
2. Heard the arguments.
3. Perused the grounds for grant of bail stated in the application, case diary and the relevant material on record.
4. Learned counsel for the applicant in addition to the grounds mentioned



in the application submits that the applicant is falsely implicated in the alleged offence over previous enmity. It is a case of false over implication. The allegation against the applicant relates to holding the deceased, while other accused assaulted him. No weapon or any incriminating material is seized at the instance of the applicant. Learned counsel, referring to the evidence of Sahil @ Shani PW-3 and Dhanraj @ Kalu PW-4, contends that eye witnesses, who had allegedly called brother of the deceased- Sahil did not support the prosecution, rather exonerated the applicant. Sahil S/o Sanjay Ranwe PW-2, who had reached the spot after sometime, has attempted to implicate the applicant. The veracity of the prosecution is severely doubtful. The material eye witnesses have been examined. There is no likelihood of tampering with remaining witnesses evidence by the applicant for the reason that he is labourer by profession and is not capable to manipulate the evidence. Similarly, prosecuted accused Aditya has been extended benefit of bail vide order dated 7.10.2025 passed in MCRC no. 41762/2025. Jail incarceration is causing hardship to applicant. Applicant is ready to cooperate in trial.

5. *Per contra*, learned counsel for the State opposes the application on the ground of gravity of alleged offence. Learned counsel further refers to seven criminal antecedents as mentioned in the case diary.

6. In reply, learned counsel for the applicant submits that one matter relating to offence punishable under the Public Gambling Act has been disposed off. Rest of the matters are pending for trial. The applicant has never been convicted for any major offence.

7. According to the material available on case diary, Sahil S/o Sanjay



Ranwe reported to Police Station - Manakchowk, Ratlam that on 29/05/2024 around 7:00 in the evening, he and his cousin brother Dhanraj @ Kalu were at home. Sahil @ Shani Prajapat informed Kalu on mobile phone that some assailants are manhandling Praveen @ Pappu in front of house of Kamal @ Kery. When they reached near the house of Kamal, they saw that Vikas, Aashu, Aditya, Ritesh and a child in conflict-with-law had surrounded Praveen. Aditya and Vikas had caught hold of Praveen. Aashu, Ritesh and child in conflict-with-law had assaulted Praveen with some sharp object. When they reached near the spot, all the assailants fled away. Praveen @ Pappu fell down unconscious near multi-storied building adjacent to Bajna Bus Stand. They called Sahil S/o Sanjay Ranwe and Vishal and took Praveen to Government Hospital, Ratlam. The Medical Officer declared him dead. On such allegations, the Police Station - Manakchowk, Ratlam registered FIR for offence punishable under Sections 302, 147, 148 of the IPC and section 25 of the Arms Act against Vikas, Aashu, Aditya, Ritesh and child in conflict-with-law. The applicant was arrested on 31/05/2024. He is in custody ever since. A motorcycle was recovered at the instance of applicant. The trial is underway. Complainant Sahil S/o Sanjay Ranwe PW-2 and eye witnesses Sahil @ Shani PW-3 and Dhanraj @ Kalu PW-4 have been examined. The material witnesses have been examined. Co-accused Aditya has been extended benefit of bail. The veracity of prosecution and complicity of the applicant will be determined after evidence in the trial.

8. As informed, the applicant is aged around 25 years and is labourer by profession. He is still dependent on family and survives on occasional labour work. Considering these aspects, there appears to be no possibility of fleeing



from justice. In absence of substantial criminal past and previous conviction for any major offence, considering the socio-economic status of the applicant, there appears to be no likelihood of tampering with evidence or influencing the witnesses by the applicant. There appears to be no compelling reason to continue incarceration of the applicant. However, the observations, herein-above, are recorded for present application only.

9. Considering the rival contentions and overall circumstances of the case, in the light of aforestated facts, but without commenting on the merits, this Court is inclined to release the applicant on bail, however, on certain stringent conditions in view of criminal antecedents of the applicant. Thus, the application is allowed.

10. Accordingly, it is directed that **applicant- Vikas Goyar @ Vikkiyan** shall be released on bail in connection with the Crime as mentioned in first paragraph of this order, upon furnishing a personal bond in the sum of **Rs 50,000/-- (Rupees Fifty Thousand only)** with one solvent surety of the same amount to the satisfaction of the Trial Court, for compliance with the following conditions :**(For convenience of understanding by accused and surety, the conditions of bail are also reproduced in Hindi asunder):-**

(1) Applicant shall remain present on every date of hearing as may be directed by the concerned court;

(1) आवेदक संबंधित न्यायालय के निर्देशानुसार सुनवाई की प्रत्येक तिथि पर उपस्थित रहेगा ।

(2) Applicant shall not commit or get involved in any offence of similar nature;

(2) आवेदक समान प्रकृति का कोई अपराध नहीं करेगा या उसमें सम्मिलित नहीं होगा ।

(3) Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them/him/her from disclosing such facts to the Court or to the police officer;

(3) आवेदक प्रकरण के तथ्यों से परिचित किसी व्यक्ति को प्रत्यक्ष या अप्रत्यक्ष रूप से प्रलोभन, धमकी या वचन नहीं देगा, जिससे ऐसा व्यक्ति ऐसे तथ्यों को न्यायालय या पुलिस अधिकारी को प्रकट करने से निवारित हो ।

(4) Applicant shall not directly or indirectly attempt to tamper with the evidence or allure, pressurize or threaten the witness;



(4) आवेदक प्रत्यक्ष या अप्रत्यक्ष रूप से साक्ष्य के साथ छेड़छाड़ करने का या साक्षी या साक्षियों को बहलाने-फुसलाने, दबाव डालने या धमकाने का प्रयास नहीं करेगा।

(5) During trial, the applicant shall ensure due compliance of provisions of Section 309 of Cr.P.C./346 of Bharatiya Nagarik Suraksha Sanhita, 2023 regarding examination of witnesses in attendance;

(5) विचारण के दौरान, उपस्थित गवाहों से परीक्षण के संबंध में आवेदक धारा ३०९ दं. प्र.सं./ ३४६ भारतीय नागरिक सुरक्षा संहिता, 2023 के प्रावधानों का उचित अनुपालन सुनिश्चित करेगा।

(6) The applicant shall mark his presence before the SHO, P.S.- Manakchouk, District. Ratlam (M.P.) on first Saturday of every month till conclusion of trial. A copy of this order be forwarded to the concerned SHO for compliance with the case diary.

11. This order shall be effective till the end of trial. However, in case of breach of any of the preconditions of bail, the trial Court may consider, on merit, cancellation of bail without any impediment from this order.

12. The trial Court shall get these conditions reproduced on the personal bond by the accused and on surety bond by the surety concerned. If any of them is unable to write, the scribe shall certify that he/she had explained the conditions to the concerned accused or the surety.

C.C. as per rules.

(SANJEEV S KALGAONKAR)
JUDGE

BDJ