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MCRC-24236-2025

IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE DEVNARAYAN MISHRA

ON THE 4<sup>th</sup> OF AUGUST, 2025MISC. CRIMINAL CASE No. 24236 of 2025*BRIJENDRA SINGH RAJPUT**Versus**THE STATE OF MADHYA PRADESH*

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Appearance:

*Shri Manish Datt - Senior Advocate with Shri Mayank Sharma -  
Advocate for the applicant.*

*Shri Devendra Shukla - Panel Lawyer for the respondent/State.*  
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ORDER

This is the first application filed by the applicant under Section 482 of Bharatiya Nagrik Suraksha Sanhita, 2023, seeking anticipatory bail in connection with Crime No.156/2025 registered at Police Station Orchha, District Niwadi, for the offence punishable under Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. In pursuance of order passed by this Court on 28.07.2025, the prosecution has submitted the documents along with the case diary showing that at the time of incident, the so called Govindam Hotel was being run by Pragi Lodhi on rent and also submitted a rent agreement executed between the father of present applicant and Pragi Lodhi. Statement of Pragi Lodhi has also been recorded.

3. Shri Datt, learned Senior Advocate appearing on behalf of the



applicant has submitted that only on the statement of co-accused person, the police is trying to arrest the applicant. The motive brought on record by the prosecution against the present applicant is that three years prior to the incident, one Sanju Yadav impersonating the deceased as Tej Singh Yadav has received the earnest money from the applicant Brijendra Singh Rajput and thereafter Sanju Yadav and deceased Rakesh Jha have divided that money and due to that, the applicant was not having cordial relation with them.

4. Learned Senior Advocate has further submitted that on this ground, if the applicant would have killed the deceased, then there would have no chance of recovery of earnest money.

5. Learned Senior Advocate has also submitted that the police during investigation has found that the co-accused on his motorcycle had brought the deceased in the applicant's dhaba, but from the documents of the police itself, it is clear that the dhaba was not being run by the applicant. Furthermore, the Well from which the dead body was recovered was of one Arvind Yadav R/o Khailar, but not of the applicant's. No legal evidence is available against the applicant, hence, he be enlarged on anticipatory bail.

6. On the other hand, learned Panel Lawyer has opposed the bail application and submitted that the deceased was lastly seen with the co-accused Sanju Yadav and applicant. Prosecution witnesses have supported that in the evening, this applicant was also seen with Sanju and deceased. No case of anticipatory bail is made out, hence, the application be dismissed.

7. Heard the parties and perused the case diary.



8. I have gone through the statements recorded by the police particularly of Shiva Rajput, Maharaj Singh s/o Hardas Lodhi, Chotu @ Raj Rajput, Abhijeet s/o Pragi Rajput in which it has been stated that on the date of incident at about 7.30 to 08.00 pm, the applicant was present in the dhaba and Sanju Yadav and Rakesh Jha were also present there and a quarrel has taken place between the parties. After mere enquiry, in the FIR, the applicant has been marked as a suspect. Custodial interrogation is also required, hence, no case of anticipatory bail is made out.

9. Thus, the application stands **dismissed**.

(DEVNARAYAN MISHRA)  
JUDGE

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