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MCRC-29012-2025

IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE ACHAL KUMAR PALIWAL

ON THE 13<sup>th</sup> OF AUGUST, 2025MISC. CRIMINAL CASE No. 29012 of 2025*GAGAN CHOUDHARY**Versus**THE STATE OF MADHYA PRADESH*

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Appearance:

Shri Manish Mishra - Advocate for the applicant.

Shri Anuj Singh - P.L. appearing on behalf of respondent/State.

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ORDER

This is repeat (fourth) bail application filed on behalf of applicant under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

2. The applicant is in jail since 7.12.2023 in connection with Crime No.363 of 2023 registered at P.S. Pathrota District-Narmadapuram for the offence punishable under Sections 302, 307, 294, 323, 324, 326, 506 part-2 of IPC.

4 . Prosecution story in brief is that at alleged date, time and place, applicant as well as co-accused persons committed murder of Yogesh.

5. Learned counsel for the applicant submits that earlier bail applications were dismissed on merits but it is also urged that there are some factual errors in the order. Learned counsel for the applicants also submits that in TIP, prosecution witness Sunil did not identify applicant but in Court, he identified applicant. Further, another witness Arjun has turned hostile and did not support prosecution story. It is also urged that earlier applicant's bail was dismissed on merits by Co-ordinate Bench of this Court solely on the basis of examination-in-chief of Sunil. Applicant is in jail since 07.12.2023. On above grounds, it is urged that



applicant be released on bail.

6. Learned Panel Lawyer for the respondent/State, on the other hand, has opposed the application.

7. Having regard to facts that in TIP, Sunil did not identify applicant, I deem it proper to release the applicant on bail.

8 . It is directed that applicant be released on bail on his furnishing a personal bond in the sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with one solvent surety in the like amount to the satisfaction of the trial Court, for his regular appearance before the trial Court during trial with a condition that he shall remain present before the concerned Court on all the dates fixed by it during trial. He shall abide by all the conditions enumerated under Section 480(3) of Bharatiya Nagarik Suraksha Sanhita, 2023.

9. This order shall be effective till the end of the trial. However, in case of bail jump and breach of any of the conditions of bail, it shall become ineffective.

10. Soft copy of this bail order be sent immediately/forthwith to the applicant through concerned Jail Superintendent.

11. M.Cr.C. stands allowed and disposed of.

12. Certified copy as per rules.

**(ACHAL KUMAR PALIWAL)**  
**JUDGE**