

**IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE**

BEFORE

HON'BLE SHRI JUSTICE PRAKASH CHANDRA GUPTA

ON THE 26th OF APRIL, 2024

MISC. CRIMINAL CASE No. 14828 of 2024

BETWEEN:-

**SATYANARAYAN S/O UMRAVSINGH, AGED ABOUT 24
YEARS, OCCUPATION: LABOUR VILL. BUDANPUR
TEHSIL PACHOR P.S. SARANGPUR DIST. RAJGARH
(MADHYA PRADESH)**

.....APPLICANT

(SHRI MANISH YADAV, ADVOCATE)

AND

**THE STATE OF MADHYA PRADESH STATION HOUSE
OFFICER THROUGH POLICE STATION SARANGPUR
DIST. RAJGARH (MADHYA PRADESH)**

.....NON-APPLICANT/STATE

(SHRI RAHUL SOLANKI, GOVERNMENT ADVOCATE)

.....
*This application coming on for order this day, the Court passed the
following:*

ORDER

Heard with the aid of case diary.

This is first application filed under Section 439 of Cr.P.C. for grant of bail to the applicant/accused, in connection with FIR/Crime No.178/2024 Date:- (Not mentioned) registered at Police Station Sarangpur, District Rajgarh (M.P.) for commission of offence punishable under Sections 307, 294, 323, 342, 506, 34, 365 and 326 of IPC.

2. Prosecution story in brief is that on 25.03.2024, at around 08:00 PM when the complainant Kamal Singh was at his farmland, his brother-in-law

Manish with co-accused persons Ishwar and present applicant Satyanarayan and a child in conflict with law came there by two motorcycle, started to abuse the complainant in filthy language. They caught hold him and pressed his mouth and assaulted him by fists and kicks. The accused persons tied his legs by rope and took him at a little distance and they again assaulted the complainant on his private part by means of lathi with an intent to kill him. The matter was reported on 26.03.2023 against the applicant and accused persons.

3. Learned counsel for the applicant/accused submits that the applicant has not committed the offence and has falsely been implicated in the case. It is submitted that the main accused persons are Manish and a child in conflict with law. Lathis were recovered from their possession. The applicant had not used any weapon. Only omnibus allegations have been levelled against him. Applicant is in custody since 27.03.2024. After completion of investigation, charge-sheet has been filed. Trial will take considerable long time for its disposal, therefore, it is prayed that the applicant be released on bail.

4. On the other hand, learned counsel for the non-applicant/State has opposed the prayer and submits that the complainant sustained 14 injuries on his body including two fractures in right ulna, proximal part of ulna of left forearm, fifth metacarpal of right hand and fifth metacarpal of right foot. It is also submitted that the doctor opined that the injured sustained grievous injuries and the injuries endangered the life of injured therefore, the applicant is not entitled for bail.

5. Having considered the rival submissions and after perusal of the case diary so also considering the facts and circumstances of the case, this Court is of the view that it is not a fit case to grant bail to the applicant. Resultantly, application for bail is **dismissed**.

**(PRAKASH CHANDRA GUPTA)
JUDGE**

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