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MCRC-25851-2025

IN THE HIGH COURT OF MADHYA PRADESH  
AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE MILIND RAMESH PHADKE

ON THE 8<sup>th</sup> OF AUGUST, 2025MISC. CRIMINAL CASE No. 25851 of 2025*PRADEEP RATHORE**Versus**THE STATE OF MADHYA PRADESH*

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Appearance:

Shri Anoop Shivhare - Advocate for applicant.

Shri Harish Sharma - Public Prosecutor for respondent/State.

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ORDER

The applicant has filed this first application under Section 439 of Cr.P.C. (483 of BNSS, 2023) for grant of bail.

2. The applicant has been arrested on 25.05.2025 in connection with Crime No. 201/2025 registered at Police Station Hazira District Gwalior (M.P.) for the offence 25/27 of Arms Act.

3. Learned counsel for the applicant submits that the applicant/accused has been falsely implicated in this case. The alleged pistol with 2 live rounds in Magazine were not seized from his possession. The alleged offence is triable by the Court of JMFC. Final conclusion of trail will take sufficient long time, therefore, it is prayed that the application be allowed and the applicant be released on bail.

4. Learned Public Prosecutor for the State opposed the application and prayed for its rejection by contending that the applicant is a habitual offender as 47 criminal cases are registered against him, however, he fairly conceded that, in recent past, the applicant has not committed any offence of similar nature.



6. Heard counsel for the parties and perused the case diary.

7. Considering the arguments advanced by both the parties and the overall facts and circumstances of the case and the nature of allegation, this Court is inclined to extend the benefit of bail to the applicant.

8. Accordingly, without expressing any opinion on merits of the case, this application is allowed and it is directed that the applicant be released on bail on furnishing personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand) with one solvent surety of the like amount to the satisfaction of the trial Court concerned for his appearance on the dates given by the concerned Court.

9. On being released on bail, the applicant shall abide by the conditions enumerated in Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita, 2023.

10. The applicant shall mark his appearance before the concerned Police Station once in every week till conclusion of trial.

11. Application stands allowed and disposed of.

12. A copy of this order be sent to the Court concerned for compliance and information.

(MILIND RAMESH PHADKE)  
JUDGE