



1

CRA-7538-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE ANIL VERMA

ON THE 11th OF AUGUST, 2025CRIMINAL APPEAL No. 7538 of 2025*RAMKUMAR RAWAT**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

.....
Appearance:

Shri Prashant Sharma - Advocate for the appellant [P-1].

Shri Mohit Shivhare - PP for the respondent/State.

.....

ORDER

1. Heard on I.A.No.19468 of 2025 for taking documents on record.
2. The documents being relevant for just disposal of the case, therefore, the same are allowed to be taken on record.
3. The appellant has filed this second criminal appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 being aggrieved by order dated 28.07.2025 passed by the Special Judge SC/ST (Prevention of Atrocities) Act and I ASJ, Datia (M.P.) in Case No./Bail application No.1105/2024 whereby bail application u/S 483 of BNSS of appellant has been rejected.
4. Learned Counsel for the State submits that the victim has been informed about filing of this appeal in compliance with mandate of Section 15-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.



5. The appellant has been arrested on 10.02.2025 relating to Crime No.38 of 2025 registered at Police Station Badoni District Datia (M.P.) for offence punishable under Sections 109(1), 3(5), 125, 238, 103(1) of BNS and Sections 3(2)(v) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act and 25,27 of the Arms Act.

6. The allegation against the present appellant is that on 02.02.2025, complainant Ajay Pal along with his elder brother Pajan Siongh Rawat went to village Bhasdakhurd to attend a dinner organized to celebrate the birthday of their relative. An Orchestra programme was arranged which was taking place in front of Balveer Rawat's house. Some girls were performing dance at the stage. The complainant's elder brother Pajan Singh was seated on chair while complainant himself was standing at a short distance. At about 11 PM, co-accused Manohar Rawat along with the present appellant Ramkumar Rawat and another 4-5 persons allegedly fired a shot from a country made pistol at Pajan Singh with intention to kill him, due to which, Pajan Singh sustained injury on his waist and then hit Ajab Singh who was standing nearby. Pajan Singh died on the spot. Complainant Ajay Pal Singh lodged FIR at PS Badoni Distt. Datia. Accordingly, the offence has been registered.

7. Learned Counsel for the appellant submits that appellant is innocent and has been falsely been implicated in the matter. He is in custody since 10.2.2025. The charge sheet has been filed. The prosecution has made seven witnesses including the complainant, out of which, complainant and other two witnesses have turned hostile and did not support the prosecution story. There is unexplained delay in lodging FIR. The medical evidence



does not corroborate the prosecution story. The appellant is permanent resident of Badoni Distt. Datia, and final conclusion of trial would take time to conclude. The appellant is not having any criminal history. On these grounds, he prays that the impugned order be set aside and appellant may be extended the benefit of bail.

8. *Per contra*, learned counsel for the State has opposed the appeal and prayed for its rejection.

9. Heard learned counsel for the parties and perused the case diary.

10. From perusal of the case diary, the cause of death as per Postmortem appears to be due to excessive bleeding caused by the abdominal injuries by fire arm weapon. In the instant case, a Katta and used cartridges have been recovered from the possession of present appellant. So may prosecution witnesses are yet to be examined. Complainant Ajay Pal Singh in his statement under section 164 of Cr.P.C had corroborated the prosecution evidence. Earlier application of the appellant for bail has been dismissed as withdrawn vide order dated 2nd July, 2025. By now, statements of only five witnesses have been recorded. In view of the above, this court is not inclined to grant benefit of bail to the appellant.

11. This appeal is therefore, dismissed.

CC as per rules.

(ANIL VERMA)
JUDGE