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CRA-10626-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE ANIL VERMA

ON THE 6th OF NOVEMBER, 2025CRIMINAL APPEAL No. 10626 of 2025*ALOK SHARMA**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

Shri Anil Kumar Mishra - Advocate for the appellant.

Shri Mohit Shivhare - Public Prosecutor for respondent No. 1/State.

Shri Anil Kumar - Advocate for respondent No. 2.

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ORDER

Case Diary is available.

2. This **first** criminal appeal has been filed under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (in short "Act, 1989") against the order dated 29.10.2025 passed by Special Judge (Atrocities Act), Bhind, rejecting the regular bail application of the appellant.

3. The appellant has been arrested on 21.10.2025 in connection with Crime No.63/2025 registered at Police Station - Surpura, District Bhind (M.P.) for commission of offence punishable under Sections 140(3), 115(2), 352, 351(2) and 3(5) of BNS and Section 3(1)(r), 3(1)(s) and 3(2)(va) of the Act, 1989.

4. Prosecution story, in short, is that complainant Gyan Singh made a



written complaint before Police Station Surpura, District Bhind by stating that he had some dispute with the accused persons prior to the incident over the phone calls. On 20.10.2025 between 2 and 3 PM, when he was at his home, at that time, present appellant along with other two co-accused persons, came at his residence and had abused in filthy language and forcefully dragged him from his house and bundled him into their four wheeler Bolero vehicle and abducted him. In route, the accused persons assaulted him with an iron rod and on Semarpura Road, inside the moving vehicle, accused Sonu, Alok and Chhotu took turn forcing the complainant to drink urine and thereafter they took him to Sonu Barua's agricultural field and committed marpeet with him and abused him in a filthy language and also threatened him for life and also uttered caste related abuses. Kedar and Charan Singh intercepted and rescued him, thereafter the complainant lodged FIR. Accordingly, offence has been registered.

5. Learned counsel for the appellant contended that the appellant is innocent and he has been falsely implicated in the matter. He is in custody since 21.10.2025. As per facts mentioned in the FIR, no such offence is made out against them. A false case has been registered against the appellant under pressure by a local politician and a specific community. All the witnesses are interested witnesses to the complainant. FIR has been lodged after a lapse of 6 hours. Investigation is almost over. Victim sustained allegedly simple injuries. No FSL report has been produced. Appellant is a permanent resident of District Bhind. Hence, he prays that the appellant may be enlarged on bail.



6. Per contra, learned counsel for the respondent/State opposes the criminal appeal and prays for its rejection by submitting that offence is serious in nature and it may disturb the harmony of the society.

7. Learned counsel for the complainant also opposes the prayer and prays for its rejection.

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

9. From perusal of the case diary, it appears that the investigation is still pending and appellant is named in the FIR. FIR is also corroborated by the statements of complainant Gyan Singh and Pinki Jatav under Section 183 of BNSS, therefore, at this stage, this Court is not inclined to allow the application.

10. Accordingly, this application is hereby **rejected**.

(ANIL VERMA)
JUDGE