



IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE MILIND RAMESH PHADKE
ON THE 12th OF JANUARY, 2026

MISC. CRIMINAL CASE No. 716 of 2026

BHUPENDRA SINGH GURJAR

Versus

THE STATE OF MADHYA PRADESH

Appearance:

Shri Vishant Singh Kaurav - Advocate for the petitioner.

Shri Brijehs Kumar Tyagi - Public Prosecutor for the State.

ORDER

This is the third bail application filed by the applicant under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking grant of temporary/interim bail for a period of 15 days in connection with Crime No. 82/2024 registered at Police Station Dabra, District Gwalior (M.P.) for the offences punishable under Sections 302, 341, 147, 148, 149 of the IPC read with Sections 25/27 of the Arms Act. The applicant is in custody since 05.02.2024.

The present application has been preferred on the ground of ill-health of the applicant's wife, contending that she requires proper medical treatment, which cannot be adequately managed in the absence of the applicant.

Learned counsel for the State has opposed the application and submitted that the medical documents produced by the applicant have been duly verified. As per the verification report and the medical certificate issued by the concerned doctor, the applicant's wife was admitted on 07.01.2025 due to anemia and bleeding, and her condition has substantially improved. It is further noted in the medical record that the bleeding has reduced and a plan for discharge has been made on



11.01.2026.

Having considered the submissions made by learned counsel for the parties and upon perusal of the material available on record, this Court finds that the applicant is facing trial for grave and serious offences, including the offence punishable under Section 302 of the IPC. The applicant has already filed two earlier bail applications and the present application is the third one, confined only to the prayer for temporary bail.

From the medical documents placed on record, it is evident that the condition of the applicant's wife is stable and improving, and she was likely to be discharged shortly though the counsel for the applicant refutes and as the medical papers do not disclose any emergent or life-threatening condition requiring the presence of the applicant at this stage, mere illness of a family member, particularly when the condition is under control and improving, does not constitute an exceptional circumstance warranting grant of temporary/interim bail in a case involving heinous offences.

In view of the seriousness of the allegations, the nature of the offence, the period of custody, and the medical status reflected in the verified documents, this Court does not find any justifiable ground to exercise discretion in favour of the applicant.

Accordingly, the application for grant of temporary/interim bail stands dismissed.

(MILIND RAMESH PHADKE)
JUDGE