



IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANJEEV S KALGAONKAR

ON THE 11th OF MAY, 2026

MISC. CRIMINAL CASE No. 8566 of 2026

LAKHAN SONI @ LAKKHU

Versus

THE STATE OF MADHYA PRADESH

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Appearance:

Shri Manish Datt - Senior Advocate assisted by Shri Rohan Awasthi - Advocate for the applicant.

Ms. Ankita Khare - Panel Lawyer for the State.

Shri Neeraj Ashar - Advocate for the objector.
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ORDER

This *first* application has been filed by the applicant under Section 483 of BNSS, 2023 for grant of bail in connection with Crime No.47/2026 registered at Police Station - Barela, District - Jabalpur (M.P.) for offences punishable under Sections 281, 125 (a), 105, 110 of the BNS, 2023 and Sections 184, 134, 187/177, 5/180 and 3/181 of the Motor Vehicles Act. Applicant is in judicial custody since 24.01.2026.

2. Heard the arguments.

3. Perused the grounds for grant of bail stated in the application and the relevant material on record.

4. Learned senior counsel for the applicant, in addition to the grounds mentioned in the application, submits that the applicant is falsely implicated in the alleged offence. There is no material to show complicity of the applicant except his own incriminating statement before police and statement of co-accused Deepak Soni informing that the applicant was driving the vehicle, which are not



admissible in evidence. Final report has been submitted. The trial will take time to conclude. Applicant has clean past, with family roots. There is no history of evading process of law. There is no likelihood of tampering with evidence by the applicant. Jail incarceration is causing hardship to the young applicant. Applicant is ready to cooperate in the trial.

5. *Per contra*, learned counsel for the State opposes the application on the ground of gravity of alleged offence. However, after going through the case diary, he fairly states that no criminal antecedent is reported against the applicant. Applicant is aged around 24 years. He is a businessman.

6 According to the accusation on case diary, the driver of white Nissan Magnite bearing registration No. MP 20 XB 1460 ran over the labourers working in at a road of construction site near Sigma Kanha Colony, Saliwada. Five labourers had died and 11 were severally injured. Tracing the registration number of the vehicle, Deepak Soni was apprehended. Deepak informed that his brother Lakhan Soni had taken the vehicle on the fateful day. The vehicle was seized from the possession of Deepak Soni. The applicant was arrested on 24.01.2026. He is in custody ever since. Final report has been submitted after completion of investigation. The material on record reveals that the applicant is implicated merely on the basis of information given by co-accused Deepak Soni in police custody. The investigating officer did not bother even to record statement of one Vedika, who is informed to be travelling in the same vehicle at the time of accident. None of the eye witnesses has stated that the applicant was driving the vehicle at the time of alleged incident. It is unfortunate that a casual investigation is conducted in such a horrific incident. *Prima facie*, there is no direct incriminating material against the present applicant in the case diary. The trial



would take time to conclude. The contentions advanced by the applicant have *prima-facie* merit and cannot be dismissed as manifestly baseless. The veracity of prosecution and complicity of the applicant will be determined after evidence in the trial.

7. As informed, the applicant is still dependent on the family. Considering these aspects, there appears to be no possibility of fleeing from justice. In absence of any criminal antecedent, considering the socio-economic status of the applicant, there appears to be no likelihood of recidivism or tampering with evidence or influencing the witnesses by the applicant. There appears to be no compelling reason to continue incarceration of the young applicant. However, the observations, herein-above, are recorded for present application only.

8. Considering the rival contentions and overall circumstances of the case, in the light of aforestated facts, but without commenting on the merits, this Court is inclined to release the applicant on bail. Thus, the application is allowed.

9. Accordingly, it is directed that **applicant- Lakhan Soni @ Lakkhu** shall be released on bail in connection with Crime, as mentioned in first paragraph of this order, upon furnishing a personal bond in the sum of **Rs.1,00,000/- (Rupees One Lac only)** with one surety of the same amount to the satisfaction of the trial Court, for compliance with the following conditions : (For convenience of understanding by accused and surety, the conditions of bail are also reproduced in Hindi as under):-

- (1) Applicant shall remain present on every date of hearing as may be directed by the concerned court;
- (1) आवेदक संबंधित न्यायालय के निर्देशानुसार सुनवाई की प्रत्येक तिथि पर उपस्थित रहेगा ।
- (2) Applicant shall not commit or get involved in any offence of similar nature;
- (2) आवेदक समान प्रकृति का कोई अपराध नहीं करेगा या उसमें सम्मिलित नहीं होगा ।
- (3) Applicant shall not directly or indirectly make any inducement,



threat or promise to any person acquainted with the facts of the case so as to dissuade them/him/her from disclosing such facts to the Court or to the police officer;

(3) आवेदक प्रकरण के तथ्यों से परिचित किसी व्यक्ति को प्रत्यक्ष या अप्रत्यक्ष रूप से प्रलोभन, धमकी या वचन नहीं देगा, जिससे ऐसा व्यक्ति ऐसे तथ्यों को न्यायालय या पुलिस अधिकारी को प्रकट करने से निवारित हो।

(4) Applicant shall not directly or indirectly attempt to tamper with the evidence or allure, pressurize or threaten the witness;

(4) आवेदक प्रत्यक्ष या अप्रत्यक्ष रूप से साक्ष्य के साथ छेड़छाड़ करने का या साक्षी या साक्षियों को बहलाने-फुसलाने, दबाव डालने या धमकाने का प्रयास नहीं करेगा।

(5) During trial, the applicant shall ensure due compliance of provisions of Section 309 of Cr.P.C./346 of Bharatiya Nagarik Suraksha Sanhita, 2023 regarding examination of witnesses in attendance;

(5) विचारण के दौरान, उपस्थित गवाहों से परीक्षण के संबंध में आवेदक धारा 309 दं. प्र.सं./ 346 भारतीय नागरिक सुरक्षा संहिता, 2023 के प्रावधानों का उचित अनुपालन सुनिश्चित करेगा

10. This order shall be effective till the end of trial. However, in case of breach of any of the preconditions of bail, the trial Court may consider, on merit, cancellation of bail without any impediment from this order.

11. The trial Court shall get these conditions reproduced on the personal bond by the accused and on surety bond by the surety concerned. If any of them is unable to write, the scribe shall certify that he/she had explained the conditions to the concerned accused or the surety.

C.C. as per rules.

(SANJEEV S KALGAONKAR)
JUDGE