

THE HIGH COURT OF MADHYA PRADESH

Mcrc 47724/19**(Arvind @ Vidhayak Vs. State of M.P.)****Gwalior Dt. 11/12/2019**

Shri Vivek Vyas, Advocate for the petitioner.

Ms. Anuradha Singh, Public Prosecutor for the State.

Case-diary is perused.

Learned counsel for the rival parties are heard.

The petitioner has filed this fourth repeat application u/S. 439 of Cr.P.C. for grant of bail after rejection of earlier ones on merits and by granting liberty to come again on examination of main PWs by order dated 20/9/2019 in Mcrc 38876/19.

The petitioner has been arrested on 26/9/2018 by Police Station Rithorakalan, District Morena (M.P.) in connection with Crime No.76/2018, registered in relation to the offence punishable u/Ss. 302, 396 IPC & Sec 11/13 of the MPDVPK Act.

Learned Public Prosecutor for the State opposed the application and prayed for its rejection by contending that on the basis of the allegations and the material available on record, no case for grant of bail is made out.

New ground raised is prejudice due to delayed trial as petitioner is in custody since 26/9/2018.

However, considering the fact that petitioner is alleged with dacoity with murder the prejudice caused due to delay gets outweighed by the seriousness of offence.

Accordingly, the present application stands rejected with the same liberty as was granted by order dated 20/9/2019 in Merc. 38876/19.

(Sheel Nagu)
Judge

(Bu)