

## THE HIGH COURT OF MADHYA PRADESH

**Mcrc 47906/19****(Rohit Yadav Vs. State of M.P.)****Gwalior Dt. 11/12/2019**

Shri Sushil Goswami, 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 second 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 12/2/2019 in Mcrc 6163/19.

The petitioner has been arrested on 9/9/2018 by Police Station Kotwali, District Datia (M.P.) in connection with Crime No.344/18, registered in relation to the offence punishable u/Ss. 302, 201, 397, 120-B/34 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 9/9/2018 and not even a single PW has been examined after framing of charge on 14/1/2019.

This court has taken note of the seriousness of the offence involved and the deep seated conspiracy hatched by petitioner and therefore it

would be appropriate to afford some more opportunity to the prosecution to produce main PWs.

Accordingly, the present application stands rejected with the same liberty as was granted by order dated 12/2/2019 in Mcrc. 6163/19.

**(Sheel Nagu)**  
**Judge**

**(Bu)**