

THE HIGH COURT OF MADHYA PRADESH
Mcr.44837.2020
(Devendra Rajak Vs. State of M.P.)

Gwalior Dt. 20.11.2020

Shri D.S. Niranjana, learned counsel for the petitioner.

Shri Rinkesh Goyal, learned Panel Lawyer for the State.

Case diary is perused.

Learned counsel for the rival parties are heard through video conferencing.

The petitioner has filed this 2nd repeat application u/S. 439 of Cr.P.C. for grant of bail after dismissal of earlier one as withdrawn without being considered on merits.

The petitioner has been arrested on 13.03.2020 by Police Station Mayapur District Shivpuri (M.P.) in connection with Crime No.45/2020 registered in relation to the offence punishable u/S.302, 307, 323, 294 of IPC.

Learned Panel Lawyer 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.

Considering the allegation, it appears that petitioner is the main accused who has caused burn injuries by pouring kerosene over the body of deceased who succumbed to the said injuries and the post-mortem report revealed cause of death to be burn injuries.

It would be appropriate to afford further opportunity to the prosecution to produce and examine the witnesses.

In view of above, for the time being no case of grant of bail is made out.

Accordingly, present bail application stands dismissed.

(Sheel Nagu)
Judge

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