

THE HIGH COURT OF MADHYA PRADESH
Mcr.44850.2020
(Aashish Sahu 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 4th repeat application u/S. 439 of Cr.P.C. for grant of bail after dismissal of earlier ones on merits while the last one was dismissed with liberty to come again after suffering some further period of custody.

The petitioner has been arrested on 01.02.2020 by Police Station- Khaniyadana, District Shivpuri (M.P.), in connection with Crime No.36/2020 registered in relation to the offences punishable u/S.376, 342, 323, 456 of IPC and 3/4 of POCSO Act.

Learned counsel for 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 fact that prosecutrix was of tender age of about 16 years, this Court deems it appropriate to afford further

reasonable opportunity to the prosecution to produce and examine the witnesses if the trial in the trial court is likely to commence in near future.

With the aforesaid liberty, this bail application stands dismissed.

(Sheel Nagu)
Judge

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