

The High Court Of Madhya Pradesh

Indore : 23/05/2019 :-

Shri S.K. Vyas, learned senior counsel assisted by Shri Gourav Singh Chauhan, learned counsel for the applicant.

Shri Nishith Wishard, learned Government Advocate for the non-applicant/State.

Ms. Mini Ravindran with Shri Rajat Raghuwanshi, learned counsel for the Objector.

Heard with the aid of case-diary.

ORDER

This is second application under Section 438 of Cr.P.C. for grant of anticipatory bail. Applicant is apprehending his arrest in connection with Crime No.135/2019 registered at Police Station-Kanadiya, District-Indore for the offence under Section 306 of IPC. First anticipatory bail was dismissed by this Court on merits vide order dated 13/05/2019 passed in M.Cr.C. No.18335/2019.

2. Learned counsel for the applicant has submitted that at the time of filing and hearing of the first application some of the documents were not in possession and knowledge of the applicant, therefore, he is unable to produce those documents but now he is in possession with some important documents, which goes into the root of the case. It is submitted that applicant has no connection with the crime, applicant has not committed any offence and he has falsely been implicated in the matter, therefore, in such circumstances, it is prayed that the applicant be released on bail in the event of his arrest.

3. On the other hand, learned Government Advocate as well as counsel for the Objector opposes the said prayer submitting

that no specific ground has been mentioned for grant of second bail application, therefore, in such circumstance, he prays for dismissal of the application for anticipatory bail.

4. Heard learned counsel for the parties, perused the case-diary and record.

5. After going through all the relevant documents, it appears that sufficient material/evidence is available against the present applicant in indulging in the crime and this second anticipatory bail application has been filed by the present applicant within a very short span/period (i.e. within 10 days) and also without assigning any specific ground or reason for grant of anticipatory bail to the present applicant and also without any change in circumstance or ground, therefore, I do not find any reason or ground to change the earlier view taken by this Court at this stage. Accordingly, present application filed by the applicant stands **dismissed**.

(Ms. Vandana Kasrekar)
Judge

Aiyer*