

## Mitthu Lal vs The State Of Madhya Pradesh on 27 October, 2015

1

M.Cr.C. No. 11113/2015

(Mitthu Lal Vs. State of M.P.)

27.10.2015

Shri Shankar Singh Tomar, Advocate for applicant.

Ms Anjali Gyanani, Public Prosecutor for  
Respondent/State.

Case Diary is perused.

Learned counsel for the rival parties are heard. The applicant has filed this 2nd bail application u/S 439, Cr.P.C. for grant of bail. The applicant has been arrested by Police Station Chanderi, District Ashoknagar in connection with Crime No.123/2015 registered in relation to the offences punishable u/Ss. 363 and 302 of IPC.

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.

This second repeat bail application has been filed after rejection of the earlier one on 31.08.2015 in M.Cr.C. No. 6379/2015, which was dismissed as withdrawn without being considered on merit.

The applicant is in custody since 01.05.2015, where allegation of murder after kidnapping of a child whose dead body was found decapitated in an agricultural field has been alleged against the applicant.

Considering the nature of allegations made, no case for bail is made out. However, looking to the fact that applicant is in custody since the last about six months, liberty is granted to the applicant to repeat his prayer for bail, in case the trial gets further delayed for reasons not attributed to the applicant.

With the above said liberty, this 2nd bail application u/S 439 Cr.P.C. is hereby dismissed.

(Sheel Nagu) Judge sh/-