

M.Cr.C.No.7998/2015

30/9/2015

Shri Ajay Mimrot, learned Counsel for the applicant.

Shri Pushyamitra Bhargava, learned Dy. Advocate General for the respondent/State.

By this **third** application filed under section 439 of the Cr.P.C., applicant Mairajuddin has moved the application for grant of bail being implicated in crime No.214/2014 registered by police station Kotwali, District Dewas for offence under Sections 306, 498-A/34 of the IPC.

Counsel for the applicant has vehemently urged the fact that it was a case of false implication. Counsel submitted that the applicant is a 61 year old person and there is not iota of evidence available on record against the present applicant. Counsel submitted that the applicant was residing separately and there is no

demand of custody of the children as being alleged. Moreover, Counsel submitted that the applicant has been arrested on 11/12/2014 and his entire family is suffering due to his arrest. Hence, Counsel prayed for grant of bail.

Counsel for the respondent State, on the other hand, has opposed the submissions put forth by the Counsel for the applicant and submitted that this is the third bail application moved on behalf of the applicant and the dying declaration completely implicated the applicant that he is snatched the children of the deceased and demand of dowry is also alleged against the applicant. Hence, Counsel submitted that the applicant did not deserve any sympathy and prayed for dismissal of the application.

On considering the above submissions, material available in the case diary and looking to the nature of allegations, I find that it is not a fit case for grant of bail. There is no new ground except the age of the

applicant is made out. The application is, therefore, dismissed as being sans merit.

C.c. as per rules.

(Mrs. S.R. Waghmare)
Judge

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