

**The High Court Of Madhya Pradesh****MCRC-19238-2020***(SHAHID KHAN Vs THE STATE OF MADHYA PRADESH)***Jabalpur, Dated : 30-06-2020****(The matter is taken up through video conferencing)**

Shri Mohd. Aadil Usmani, learned counsel for the applicant.

Shri Gaurav Tiwari, learned Panel Lawyer for the respondent/State.

Heard on fourth application for bail file under Section 439 of Cr.P.C. on behalf of the applicant in connection with Crime No.763/2019 registered at Police Station Kotwali, Sehore for offence punishable under Section 8/20 of NDPS Act.

The first application M.Cr.C.No.39466/2016 was dismissed on 30.09.2019, second bail application M.Cr.C. No.46059/2019 was dismissed on 14.01.2020 and third bail application M.Cr.C. No.8699/2020 was dismissed on 06.03.2020. This fourth application filed on the changed circumstances that the material witnesses have been turned hostile. It is also submitted that while rejecting the third bail application, this court directed the trial court to conclude the trial expeditiously preferably within two months, but due to widespread of Covid-19 lockdown was imposed, trial is held up and remaining witnesses could not be examined, therefore, prays to enlarge the applicant on bail.

Learned Panel Lawyer for the State submits that there is no changed circumstances, previous bail applications were dismissed by this court on merits considering the statement of witnesses, therefore, prays to dismiss this application.

Heard learned counsel for the parties and perused the statement of witnesses and previous orders passed by this court rejecting the earlier applications.

Keeping in view the facts and circumstances of the case, this court does not found any changed circumstances to take a different view, as taken in the earlier orders.

Consequently, this application for grant of bail under Section 439 of Cr.P.C. filed on behalf of the applicant- Shahid Khan, deserves to be and is accordingly dismissed.

**(VISHNU PRATAP SINGH CHAUHAN)**  
**JUDGE**

ss

