

## THE HIGH COURT OF MADHYA PRADESH

Mcr.42080-2021(Mohan Singh Khangar Vs. State of M.P.)Gwalior Dt. 31.08.2021

Shri S.K. Jain, learned counsel for petitioner.

Shri Ravindra Singh, learned Panel Lawyer for respondent-State.

Case diary is perused.

Learned counsel for the rival parties are heard.

This is 2<sup>nd</sup> repeat application u/S.439 of the Cr.P.C. filed by the petitioner for grant of bail after rejection of earlier one on merits by order dated 03.06.2021 passed in MCRC 26211/2021.

The petitioner has been arrested on 17.03.2021 by Police Station Bamori District Guna (M.P.) in connection with Crime No.71/2021 registered in relation to the offence punishable u/S.307, 149 of IPC subsequently enhanced 302 of IPC.

Learned Panel Lawyer 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.

Attempt to murder and murder are alleged against the petitioner in regard to deceased Badam Singh who died due to burn injuries leaving behind dying declaration which is implicative qua the petitioner.

In view of above, it would be appropriate that to allow the eye-witnesses to be examined before the request for bail is considered.

Accordingly, this bail application stands **dismissed** with liberty to come again after examination of eye-witnesses.

**(Sheel Nagu)**  
**Judge**