IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE DINESH KUMAR PALIWAL

ON THE 19th OF DECEMBER, 2023

MISC. CRIMINAL CASE No. 50493 of 2023

BETWEEN:-

AMIT @ BINNU PANDEY S/O SHRI LALMANI PANDEY, AGED ABOUT 20 YEARS, OCCUPATION: PRIVATE SECURITY GUARD R/O VILLGE SARIA, POLICE CHOWKI LALGAON, POLICE STATION GARH, DISTRICT REWA (MADHYA PRADESH)

.....APPLICANT

(BY SHRI SHIVRAJ KUSHWAHA - ADVOCATE)

AND

THE STATE OF MADHYA PRADESH THROUGH POLICE STATION GARH DISTRICT REWA DISTRICT REWA (MADHYA PRADESH)

.....RESPONDENT

(BY SHRI VINOD TIWARI - PANEL LAWYER)

This application coming on for admission this day, the court passed the following:

ORDER

This is the fifth bail application filed by the applicant under Section 439 o f the Cr.P.C. for grant of regular bail relating to FIR No.117/2019 dated 25.04.2019 registered at Police Station Garh, District Rewa (M.P.) for commission of offence under Sections 363, 366, 376(2)(n), 344, 120-B, 212/34 of IPC and Section 3/4 of the Protection of Children from Sexual Offences Act, 2012. Applicant is in detention since 09.06.2019.

2. Applicant's first, second and fourth bail applications were dismissed as withdrawn and not pressed vide orders dated 02.08.2019, 11.11.2019 &

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30.01.2023 passed in M.Cr.C. No.26979 of 2019, M.Cr.C. No.40281 of 2019 & M.Cr.C. No.56067 of 2022 respectively. His third bail application was dismissed on merit vide order dated 09.10.2020 passed in M.Cr.C. No.9203 of 2020.

3. As prayed by learned counsel for the applicant, this fifth application too under Section 439 of Cr.P.C. for grant of bail filed on behalf of **applicant - Amit @ Binnu Pandey** is **dismissed** as withdrawn and not pressed.

4. However, it cannot be overlooked that applicant is in jail for more than last four years and six months. Therefore, learned trial Court is directed to expedite the pace of trial and to conclude it expeditiously preferably within a period of six months from today or from the date of production/receipt of certified copy of this order.

5. Registry is directed to send a copy of the order to the trial Court concerned for compliance.

(DINESH KUMAR PALIWAL)
JUDGE

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