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IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR

M.Cr.C. NO. 25 OF 1995

Chandrakant Shah, S/o Shri. State of Madhya Pradesh
R.B. Shah, aged about 38 yrs, Vs.
Industrialist, r/p H-52, Padma-
nabhpur, Durg.

APPLICATION FOR INTERIM BAIL

The applicant above-named, begs to submit as under :

- 1) That the applicant is filing herewith the accompanying application for bail and is hopeful of its success on the facts and grounds stated therein.
- 2) That the applicant has already suffered incarceration for more than 3½ years while his co-accused have already been released on bail and the prosecution is not interested either in examining the material witnesses nor proceeding with the trial expeditiously despite directions by the Hon'ble High Court and due to non-cooperation of prosecution the trial could not take place for two weeks in any month and most of the time of the court has been wasted either due to non-availability of witnesses due to non-service of summons or due to non-availability of the Public Prosecutor or the micro cassette player required for evidence of witness Mrs. Sudha Bharadwaj, Dr. Gun and Shri. Ganesh Ram. On many occasions the public prosecutor did not appear in the court and the case was adjourned without examining any witness as is obvious from order sheets filed as Annexure-P/18. The applicant is thus being put to irreparable injury due to dilatory tactics adopted upon by the prosecution.
- 3) That due to delay in trial the applicant's fundamental rights under article 14, 19 & 21 of the constitution are being violated and balance of convenience is in favour of the

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applicant being released on interim bail during the pendency of the application. His wife Smt. Renu Shah is suffering from 'Heart Df. case' and has been advised Coronary Angiography and other investigations which are not available in locally and she is required to be taken to Bombay, Madras or Delhi. A photocopy of medical certificate ~~file~~ dated 15-5-95 is filed as Annexure-P/19.

P R A Y E R

It is humbly prayed, therefore, that the applicant may kindly be released on ad-interim bail during the pendency of the application.

PLACE : JABALPUR

DATED :

COUNSEL FOR THE APPLICANT