

Criminal Bail Application No. S- 524 of 2019

Vs.

2. The application moved by the applicant for his release on bail was dismissed even by this Court vide order dated 4.3.2019 passed in (Cr. B.A. No. S- 1194 of 2018 titled as Javed Hussain v. The State) with direction to learned trial court to record evidence of the complainant within one month with liberty to the applicant to repeat his bail application on fresh ground.

3. After recording evidence of the complainant, fresh application was moved by the applicant for his release on bail. It was dismissed again by learned trial court and such dismissal of the bail application of the applicant was maintained by learned IXth Additional Sessions Judge, Hyderabad.

4. The applicant has again come before this Court with the instant application under Section 497 Cr.P.C for his release on bail.

5. It is contended by learned counsel for the applicant that the applicant being innocent has been involved in this case falsely by the complainant, the evidence of the complainant is not enough to base conviction against the applicant as such according to him the applicant is entitled to be released on bail as he has already suffered agony of protracted trial for about nine months.

6. Learned A.P.G. for the State has opposed to grant of bail to the applicant by contending that the applicant is habitual offender and the very case against him is at the verge of its final disposal.

7. By making rebuttal to above contention, it was stated by learned counsel for the applicant that the criminal record of the applicant is not enough to disentitle him to be released on bail.

8. I have considered the above arguments and perused the record.

9. Admittedly, the applicant has been refused bail by this Court on merits. The recording of evidence of the complainant could hardly be

said to be a fresh ground which may justify admitting the applicant to bail. It would be unjustified to make comments upon the evidence of the complainant by this Court only to make out a case for grant of bail to the applicant when the very case as per learned APG for the State is at the verge of its final disposal. No case for grant of bail to the applicant is made out. Consequently, the instant application is dismissed.

10. Based upon above discussion, the instant bail application is dismissed.

JUDGE