

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.11215 of 2016

ORDER:

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The petitioner, who is A6 in Crime No.348 of 2015 of Chandrayangutta Police Station, Hyderabad District, filed the present application under Section 438 of the Code of the Criminal Procedure (Cr.P.C.), seeking release in the event of his arrest in connection with the above crime registered for an offence punishable under Section 302 read with Section 34 of IPC.

At the time when the matter is taken up for hearing it is brought to the notice of the Court that earlier the petitioner filed CrI.P.No.9300 of 2016 before this Court seeking the same relief which was dismissed on 13.07.2016.

In view of the judgment of the Apex Court in ***Kalyan Chandra Sarkar v. Rajesh Ranjan @ Pappu***^[1], wherein, it was categorically held that the second application for bail can be considered only when there is change in facts and law, the request of the petitioner in the absence of any change in facts or in law would not arise. Hence, the request of the petitioner is rejected.

Accordingly, the criminal petition is dismissed.

JUSTICE C. PRAVEEN KUMAR

05.08.2016
vhb

^[1] AIR 2005 SC 921