

**IN THE HIGH COURT OF UTTARANCHAL  
AT NAINITAL  
ORIGINAL JURISDICTION**

Dated: Nainital: the 30th day of September 2005

Bail Application no. 316 of 2005

**Order on the bail application of the accused**

**CRIMINAL SIDE**

Rajendra Singh @ Nikku  
S/o Karnail Singh  
R/o Devipura  
P.S. Nanakmatta  
District Udham Singh Nagar

... Applicant

Versus

State of Uttaranchal

...Opposite Party

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Arising out of Case Crime No. 608 of 2004  
Under Sections 302 I.P.C.  
P.S. Nanakmatta  
District Udham Singh Nagar

**By the court**

**Hon'ble B.C. Kandpal, J.**

The applicant has applied for bail in case crime No. 608 of 2004 under Sections 302 I.P.C., P.S. Nanakmatta, District Udham Singh Nagar.

Heard Sri A.S. Gill, learned counsel for the applicant, learned A.G.A. and perused the record.

The specific role has been attributed to the applicant of firing at the deceased. Postmortem report also shows that the fire wounds were found on the person of the deceased.

Learned counsel for the applicant has argued that the trial has started and the statement of P.W. 1 has been recorded. He has stated that the P.W.1 has not supported the prosecution case before the trial court.

Without expressing any opinion on the merit of the case, I find that the trial of this case is in progress and it is likely to be concluded within a very short period.

I therefore, direct the trial court to decide the trial expeditiously and if possible, within a period of two months.

With the aforesaid observation, the bail application is rejected.

The applicant is at liberty to move another bail application thereafter in case, if the trial is not concluded within the stipulated time.

**(B.C. Kandpal, J.)**

30.09.2005

ASWAL

