

Court No. - 55

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 6427 of 2016

Applicant :- Bheemsen

Opposite Party :- State Of U.P.

Counsel for Applicant :- Shivajee Singh Sisodiya, Praveen Kumar Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Shashi Kant, J.

Heard Sri Praveen Kumar Srivastava, learned counsel for the applicant, learned A.G.A. for the State of U.P. and perused the record.

Present bail application has been filed on behalf of the applicant in Case Crime No. 333 of 2014, under Sections 302, 201 I.P.C. at Police Station - Hafizganj, District - Bareilly, with the prayer to enlarge him on bail.

Learned counsel for the applicant submits that there is no credible evidence against the applicant and he has been wrongly and falsely implicated in this case, a wrong and false recovery of 'gandasa' weapon of assault has been shown on the pointing out of the applicant, there is no public witness of the aforesaid recovery, co-accused Narottam and Pushpendra @ Pappu have been granted bail by orders dated 16.01.2015 and 26.10.2016, passed in Criminal Misc. Bail Application Nos. 640 of 2015 and 1611 of 2015, respectively. In the aforesaid facts and circumstances, the applicant is also entitled for bail and in case of his released on bail he will not misuse the liberty of bail.

Learned A.G.A. has opposed the prayer for bail on the grounds that weapon of assault has been recovered on pointing out of applicant, all the prosecution witnesses have been examined, trial of the case is at an advanced stage and is likely to be concluded very soon.

Heard learned counsel for the parties and perused the record.

Admittedly, in this case all the prosecution witnesses have been examined and the trial is expected to be concluded in near future. In view of above, I find no justification in granting bail to the applicant at this stage. The bail application of the applicant is accordingly **rejected**.

However, it is provided that trial Court will make each and

every endeavour to conclude the trial of the aforesaid case expeditiously, if possible, within six months' from the date of production of certified copy of this order.

Order Date :- 30.8.2017

A. Verma