

Court No. - 69

Case :- CRIMINAL MISC. IInd BAIL APPLICATION No. - 9163 of 2023

Applicant :- Moh Arshad @ Asad

Opposite Party :- State of U.P.

Counsel for Applicant :- Mahendra Singh Yadav, Javed Raza, Shahid Ali Siddiqui

Counsel for Opposite Party :- G.A.

Hon'ble Samit Gopal, J.

1. List revised.
2. Heard Sri Shahid Ali Siddiqui, learned counsel for the applicant, Sri Devendra Nath Mishra, learned counsel for the State and perused the material on record.
3. This bail application under Section 439 of Code of Criminal Procedure has been filed by the applicant Mohammad Arshad @ Asad, seeking enlargement on bail during trial in connection with Case Crime No. 24 of 2021 under Sections 498-A, 304-B I.P.C., Police Station Baheri, District Bareilly.
4. This is the second bail application moved on behalf of the applicant. The first bail application of the applicant was rejected by this Court vide order dated 18.08.2021 passed in Criminal Misc. Bail Application No. 30467 of 2021
5. After some arguments, learned counsel for the applicant submits that he is not pressing the second bail application moved on behalf of the applicant and prays that since the trial is in progress and as many as six witnesses have been examined, appropriate direction be issued to the trial court to conclude the trial within a time bound

period as the applicant is in jail since 28.02.2021.

6. Learned A.G.A. appearing for the State does not have any objection to the said proposition.

7. In view of the limited prayer made by learned counsel for the applicant, the second bail application of the applicant is hereby **rejected**.

8. However, it is provided that the applicant may file an application for expeditious disposal of the trial of the case before the court concerned within two weeks from today, which may as per its load of work, diary and pendency of cases, pass appropriate orders on the same.

Order Date :- 11.12.2023

Shiraz

(Samit Gopal, J.)