

Court No. - 68

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 15680 of 2019

Applicant :- Harishchandra

Opposite Party :- State of U.P.

Counsel for Applicant :- Salman Ahmad, Ghan Shyam Yadav, Naseem Ahmad

Counsel for Opposite Party :- G.A., Ghan Shyam Yadav

Hon'ble Dr. Gautam Chowdhary, J.

Case called out in revised list. No one is present on behalf of applicant to press this bail application. However, learned A.G.A. for the State is present.

The instant bail application has been filed for enlarging the applicant on bail in Case Crime No.1189 of 2016 under Sections 498A, 304B I.P.C. and Section 3/4 of Dowry Prohibition Act, Police Station Mahuli, District Sant Kabir Nagar, during the pendency of the trial in the Court below.

Perusal of the record shows that the applicant is languishing in jail since 22.01.2017. The instant bail application was filed in the month of January 2019 and that the trial of the aforesaid case had commenced prior to filing of the instant application, as is evident from the perusal of the statements of P.W.1 and P.W.2, copy of which, is annexed as Annexure-8 to the affidavit accompanying the bail application. Since then, more five and half years have lapsed thus it appears that by the efflux of time, the trial would have concluded, therefore either the cause of action no more survives or the applicant has lost interest in this matter or it has otherwise become infructuous and, probably for this reason, none is interested to have decided this matter on merits and that is why, counsel for applicant is absent.

In view of the above, the present bail application is dismissed as infructuous

Order Date :- 28.10.2023

S.Ali