

Court No. - 70

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 25024 of 2022

Applicant :- Vinod Nishad

Opposite Party :- State of U.P.

Counsel for Applicant :- Brijesh Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Sameer Jain,J.

1. Heard Shri Brijesh Kumar, learned counsel for the applicant and Shri Pradeep Kumar, learned AGA for the State-respondent.
2. The instant third bail application has been filed seeking release of the applicant on bail in Case Crime No.995 of 2016, under Section 302 I.P.C., Police Station Naini, District Allahabad, during pendency of the trial in the court below.
3. Learned counsel for the applicant submits that this is the third bail application filed on behalf of the applicant and he in the present matter is in jail since 04.11.2016 i.e. for last more than seven years but he fairly pointed out that 16.02.2023 is the next date fixed by the trial court for delivery of judgment and therefore, instant bail application may be disposed off.
4. Learned A.G.A. conceded the fact that the trial of the case is at its last leg and next date is fixed for delivery of judgment and therefore, it would not appropriate to enlarge the applicant on bail at this stage.
5. I have heard learned counsel for both the parties and perused the record of the case.
6. From the record it reflects that this is the third bail application filed on behalf of the applicant and his first and second bail applications have already been dismissed on merits. However, it reflects from the record that applicant is in jail since 04.11.2016 i.e. for last more than seven years but it further reflects that trial of the case is at its last leg and 16.02.2023 is the next date fixed for delivery of judgment and therefore, I find force in the argument advanced by learned A.G.A. that at this stage, it would not appropriate to enlarge the applicant on bail and therefore, I am not

inclined to release the applicant on bail.

7. Accordingly, without expressing any opinion on the merits of the case, the instant third bail application filed on behalf of the applicant - **Vinod Nishad** is **rejected**.

Order Date :- 7.12.2023

Zafar