

**Court No. - 76**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 28354 of 2022

**Applicant :-** Rakesh Kumar

**Opposite Party :-** State Of U.P. And Another

**Counsel for Applicant :-** Satyendra Narayan Singh, Amit Kumar Srivastava, Ashok Kumar Upadhyay, Kuldeep Kumar Mishra, Manoj Kumar Dubey, Vipul Kumar Dubey

**Counsel for Opposite Party :-** G.A., Pramod Kumar Srivastava, A/P0398

**Hon'ble Vikram D. Chauhan, J.**

1. Heard learned counsel for the applicant, learned counsel for the informant and perused the record.
2. At the very outset, learned counsel for the applicant submits that bail was earlier granted to the applicant. However, the same was cancelled by the court below and thereafter, another bail application has been moved, which has been rejected on the ground of having criminal cases after the earlier bail was granted.
3. Learned counsel for the applicant further submits that at this stage ends of justice would be served in case a direction be issued to the trial court for conclusion of the trial court in a time bound manner as the trial is at the evidence stage.
4. Learned counsel for the informant and learned A.G.A. for the State has no objection to the aforesaid prayer.
5. Considering the prayer made by learned counsel for the applicant, the trial court is hereby directed to conclude the trial proceedings of Complaint Case No.5041 of 2017, under Sections 419, 420, 467, 468, 471 I.P.C., Police Station Saini, District Kaushambi, within a period of six months by granting dates not more than 15 days. The prosecution is hereby directed to produce the prosecution witness on the date fixed. In the event, the trial is not concluded within a period of six months, the applicant would be at liberty to prefer a fresh bail application before this Court.
6. It is made clear that this Court has not adjudicated the present bail application on merits and it would be open for the applicant to

agitate the issue in the event, the trial is not decided within the time framed.

7. With the aforesaid directions/observations, the present bail application is disposed of.

**Order Date :- 1.12.2023**

Bhaskar