

Neutral Citation No. - 2023:AHC:235626

Reserved on 05.12.2023

Delivered on 12.12.2023

Case :- CRIMINAL MISC. BAIL CANCELLATION APPLICATION

No. - 359 of 2022

Applicant :- Hakim Singh

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Sanjay Kumar Dubey

**Counsel for Opposite Party :- G.A.,Ajay Kumar Pathak,Kamal Kaushal
Upadhyay**

Hon'ble Siddharth,J.

Heard Sri Sanjay Kumar Dubey, learned counsel for the applicant; Sri Ajay Kumar Pathak, learned counsel for the opposite party no.2 and learned AGA for State.

This bail cancellation application filed praying cancellation of bail order dated 23.07.2022 passed by the court below in Case Crime No.214 of 2022, under Section 376, 354-B, 342, 323, 506 I.P.C.

Learned counsel for the applicant submits that the bail has been granted to opposite party no.2 by the court below noting some contradictions in statements of victim recorded under sections 161 and 164 Cr.P.C. He has submitted that the bail order is not in accordance with law. The crime alleged against opposite party no.2 is quite serious.

Learned counsel for opposite party no.2 has opposed bail cancellation application and submitted that there is no allegation against opposite party no.2 that he has ever misused liberty of bail granted to him. Applicant and victim are protected by witness of protection scheme.

After hearing rival contentions of the parties, this court finds no ground for cancellation bail granted to opposite party no.2.

Bail cancellation application is accordingly rejected.

The trial court is directed to conclude the trial against the applicant as expeditiously as possible, preferable within a period of six months.

Registrar (compliance) is directed to communicate this order to the trial court concerned within ten days.

Order Date :- 12.12.2023

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