

Court No. - 67

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 43399 of 2023

Applicant :- Smt. Bhagwati @ Rambheji

Opposite Party :- State of U.P.

Counsel for Applicant :- Hitesh Pachori

Counsel for Opposite Party :- G.A., Abhishek Kumar Srivastava, Vivek Kumar Srivastava

Hon'ble Rahul Chaturvedi, J.

Heard learned counsel for the applicant, learned counsel for the opposite party no.2 as well as learned A.G.A. for the State and perused the record.

This is the second bail application. The earlier bail application was rejected by this Court on 19.05.2022 with the specific direction which is quoted hereinbelow :-

"However, the trial court is directed to expedite the trial and conclude the same as expeditiously as possible, preferably, within a period of one and a half year from the date of production of a certified copy of this order."

Learned counsel for the applicant has filed certified copy of order sheet.

I have perused the copy of the order sheet and curiously enough, the said bail rejection order was never served upon the trial Court to apprise him to conclude the trial within a period of one and half year from that date. It is clearly laxity on the part of the applicant.

Learned counsel for the applicant has submitted that the applicant is 85 years old. These things would not impress the Court. This is a serious offence under section 342, 307, 302 and other allied sections of IPC. There is no new ground canvassed in the second bail application.

Accordingly, the present bail application stands **REJECTED**.

However, it is expected that learned trial Court would gear up the matter and would make all necessary endeavour to conclude the trial as expeditiously as possible preferably within a period of one and half years from the date of production of certified copy of this

order provided that learned counsel for the applicant would serve the copy of the present order to learned trial Court latest by 05.12.2023 and the appellant would participate in the proceedings actively and render all the necessary assistance in early conclusion of trial and would not seek any unreasonable adjournment in the matter.

Order Date :- 24.11.2023

Sumit S