

Court No. - 8

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 1334 of 2023

Applicant :- Sujeet Kumar Alias Ankit

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Lko.

Counsel for Applicant :- Farhan Alam Osmany

Counsel for Opposite Party :- G.A.

Hon'ble Dinesh Kumar Singh,J.

1. Heard Mr. Farhan Alam Osmany, learned counsel for the accused-applicant, as well as Mr. Manish V.S. Chauhan, learned Additional Government Advocate for the State, ***on this 2nd application for bail***, and gone through the entire record.

2. By means of this application under Section 439 CrPC, the accused-applicant seeks bail in FIR No.0294 of 2020, under Sections 323, 498-A and 304-B IPC read with Section 3/4 Dowry Prohibition Act, lodged at Police Station Madhavganj, District Hardoi.

3. The earlier bail application of the accused-applicant, being Criminal Misc. Bail Application No.3756 of 2021, is said to have been rejected by this Court vide order dated 23.09.2022, which reads as under:-

1. Heard learned counsel for the applicant, learned A.G.A. for the State and perused the record.

2. The present bail application under Section 439 Cr.P.C. has been filed by the applicant seeking bail in FIR No.294 of 2020 under Sections 323, 498A, 304B IPC, 3/4 Dowry Prohibition Act, Police Station Madhavganj, Hardoi.

3. The deceased, Prem Lata got married with the accused-applicant on 14.02.2020. She died on 02.09.2020. The post mortem would suggest following ante mortem injury on the body of the deceased:-

Contusion 10 cm x 7 cm present on left side of Head. 4 cm above left Ear on opening subdural haematoma present all over brain.

4. Cause of death has been opined to be head injury. The deceased has died less than 7 month of marriage. The deceased had died inside the house of the accused-applicant because of the head injury. It is for the accused-applicant to explain how the head injury was caused to the deceased and who caused the head injury.

5. Considering the facts and circumstances of the case, involvement of the accused-applicant in the commission of the offence, this Court does not consider it to be a fit case for enlarging the accused-

applicant on bail at this stage. This bail application is thus, rejected."

4. I find no new/fresh ground to enlarge the accused-applicant on bail. Therefore, the bail plea is hereby **refused**, and the application is **rejected**. However, the learned trial Court is directed to proceed with the trial and conclude the same expeditiously, ***say within a period of six months*** from the date certified copy of this order is submitted/served, subject to full cooperation by the accused-applicant.

[D.K. SINGH, J.]

Order Date :- 6.7.2023
MVS/-