

Court No. - 8

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 2527 of 2023

Applicant :- Rahul Pratap Singh

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

Counsel for Applicant :- Alok Singh, Maharaj Baksh Singh, Sushil Kumar Singh

Counsel for Opposite Party :- G.A.

Hon'ble Dinesh Kumar Singh, J.

1. Heard Mr. Sushil Kumar Singh, 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.0187 of 2019, under Sections 498-A, 302 and 304-B IPC read with Section 3/4 D.P. Act lodged at Police Station Fatehpur, District Barabanki.

3. The earlier bail application of the accused-applicant, being Criminal Misc. Bail Application No.506 of 2020, is said to have been rejected by this Court vide order dated 11.11.2022, which reads as under:-

"1. Heard learned counsel for the accused-applicant as well as learned Additional Government Advocate and gone through the entire record.

2. By means of this application under Section 439 CrPC, the accused-applicant seeks bail in FIR No.0187 of 2019, under Sections 498-A, 302 and 304-B IPC read with Section 3/4 Dowry Prohibition Act lodged at Police Station Fatehpur, District Barabanki.

3. The deceased, Snehlata got married with the accused-applicant; marriage took place on 27.01.2019; on 06.07.2019, the deceased got killed at around 9 p.m; the postmortem report suggest the following antemortem injuries, which caused the death:-

"i. stab wound 1cm x 1cm, 7cm below from Rt. clavicle over the Rt side cavities deep, wound elepticle in save manger shamp;

ii. stab wound 1cm x 5cm Rt side chest, 7cm below from injury no. 1;

iii. stab wound 1cm x 5cm on Lt side chest 2cm below from Lt elbow. All wounds elapticle in sope clear margin; and

*iv. stab wound on dorsum of Lt hand muscle deep elapticle
in sabe clear margins."*

4. Admittedly, the accused-applicant was accompanying the deceased when she was killed. During the course of investigation, it has come to light that it was the accused-applicant who had killed the deceased. The injuries, allegedly caused to the accused-applicant, are manufactured. Considering the heinousness of the offence where helpless wife of the accused-applicant got killed, this Court does not deem it appropriate to enlarge the accused-applicant on bail. Hence, the bail application is hereby rejected. However, the learned trial Court is directed to proceed with the trial and conclude the same preferably within a period of one year from the date certified copy of this order is submitted/served on behalf of the accused-applicant."

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. However, if despite full cooperation by the accused-applicant the trial is not concluded within the said period, the accused-applicant may revive his bail plea.

[D.K. SINGH, J.]

Order Date :- 6.7.2023
MVS/-