

Court No. - 8

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 7471 of 2023

Applicant :- Khushboo Sharma

Opposite Party :- State Of U.P. Thru. Secy. Deptt. Of Home Civil Secrett. Lko.

Counsel for Applicant :- Ravindra Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Dinesh Kumar Singh,J.

1. Heard learned counsel appearing for the accused-applicant and learned A.G.A. for the State.

2. This is second bail application which has been filed seeking bail in FIR No.0251 of 2022 under Section 304 IPC, Police Station Chanda, Sultanpur.

3. First bail application has been rejected by this Court vide order dated 21.11.2022 passed in Bail No.13471 of 2022 by following order:-

"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.0251 of 2022, under Section 304 IPC lodged at Police Station Chanda, District Sultanpur.

3. The accused-applicant is none other than the mother of the deceased child, aged around 13 months; the complainant is the husband of the accused-applicant and mother of the deceased child.

4. As per the FIR, the complainant, husband of the prosecutrix used to work in Mumbai for his livelihood; the present accused-applicant was saying that she should also be taken to Mumbai, but the complainant was not in a position to take her Mumbai; the complainant left for Mumbai and on the same day i.e. 17.07.2022, at around 2 p.m., the accused-applicant killed her minor son; the complainant was informed by family members and came back and lodged the FIR.

5. Considering the heinousness of the offence and the accused-applicant being none other than the mother of the deceased, a 13 months old child, this Court does not deem it appropriate to enlarge the accused-applicant on bail.

6. Rejected."

4. I do not find any change circumstance to enlarge the accused-applicant on bail at this stage. This bail application is **rejected**.

However, learned trial court is directed to expedite the trial and conclude the same preferably within a period of six months.

(Dinesh Kumar Singh, J.)

Order Date :- 14.7.2023
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