

Court No. - 8

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 8350 of 2023

Applicant :- Atul Gupta

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

Counsel for Applicant :- Mrs.Suniti Sachan,Gangeshwar Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Dinesh Kumar Singh,J.

Heard learned counsel appearing for the accused-applicant and Sri Ashwini Kumar Singh, learned A.G.A. for the State.

This is second bail application which has been filed seeking bail in FIR No.17 of 2020 under Sections 364, 302, 201, 120B, 323, 506 IPC, Police Station Harchandpur, Raebareli.

First bail application has been rejected by this Court vide order dated 13.10.2022 passed in Bail No.7573 of 2020 by following order:-

"1. Heard learned counsel for the applicant as well as Sri Ashwani Kumar Singh, learned A.G.A. and Sri Shishir Pradhan, learned counsel for the complainant and perused the record.

2. The present application under Section 439 Cr.P.C. has been filed seeking bail in Case Crime No.17 of 2020, under Sections 364, 302, 201, 120-B, 323 and 506 IPC, Police Station Harchandpur, District Raebareli.

3. Allegation against the accused-applicant is of abduction and killing the deceased Vanshika @ Ruchi, who was B.Sc IIIrd year student in Mahaveer Degree College, Kathwara, Harchandpur, Raebareli. It is said that the accused-applicant was having crush and wanted to have relationship with the deceased. It appears that the deceased brought it to the notice of her parents, and her parents had scolded the accused-applicant once. It is further said that the accused-applicant once assaulted the deceased. It is also said that on 1.2.2020, the deceased was abducted and later on her dead body was found burnt completely. The police after investigating the offence, has filed the charge sheet against the accused-applicant and other accused.

4. Considering the heinousness of offence, alleged involvement of the accused-applicant in the commission of offence and no motive coming forth for falsely implicating the accused-applicant, and also the fact that the trial has commenced inasmuch as P.W.-1 has been examined, this Court does to find any ground to enlarge the accused-applicant on bail.

5. Bail application is accordingly rejected.

6. The trial court is directed to expedite the trial proceedings and conclude the same within a period of eight months.

7. Let a copy of this order be forwarded to the concerned trial court forthwith for compliance. "

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

(Dinesh Kumar Singh, J.)

Order Date :- 6.7.2023
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