

Court No. - 8

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 8916 of 2023

Applicant :- Ram Narayan Singh

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

Counsel for Applicant :- Avinash Singh Vishen, Digvijay Singh

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.0132 of 2021 under Sections 498A, 304B IPC, 3/4 Dowry Prohibition Act, Police Station Sadarpur, Sitapur.
3. First bail application has been rejected by this Court vide order dated 15.09.2022 passed in Bail No.10565 of 2022 by following order:-

"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.132 of 2021 under Sections 498A, 304B IPC, 3/4 Dowry Prohibition Act, Police Station Sadarpur, District Sitapur.

3. The accused-applicant is husband of the deceased. Deceased died inside the house of the accused-applicant. Post mortem report would disclose following ante mortem injuries:-

(i) An oblique ligature mark 31.0 cm x 2.5 cm present on around the neck above thyroid cartilage in front of neck passing obliquely upwards and backwards along the line of mandible with a gap of 6.5 cm present on left side of neck situated 5.5 cm below chin and 6.5 cm below right ear. Base of groove of ligature mark yellowish hard and parchment like. On dissection sub cutaneous tissue under the ligature mark white hard and glistening.

(ii) Contusion 3.0 cm x 2.0 cm present on outer canthus of left eye.

(iii) Contusion 2.5 cm x 2.0 cm present on right side of chest just below mid of right clavicle

(iv) Contusion 4.0 cm x 2.5 cm present on right arm, 14.6 cm above right elbow joint;

(v) Contusion 6 cm x 4 cm present on right thigh 16 cm above right knee joint;

(vi) Contusion 3.5 x 2 cm present on lateral aspect of left thigh just above left

knee joint;

(vii) Contusion 6 cm x 4 cm present on mid of back.

4. It is for the accused to explain that how so many injuries had been caused to the victim.

5. Considering the facts and circumstances of the case, the accused-applicant is husband of the deceased and the deceased died inside the house of the accused-applicant receiving several multiple serious injuries, 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 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 one year.

(Dinesh Kumar Singh, J.)

Order Date :- 14.7.2023
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