

Court No. - 12

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 8807 of 2023

Applicant :- Amit Singh @ Azad Singh

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

Counsel for Applicant :- Dilip Kumar Pandey, Somesh Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Rajeev Singh, J.

1. Heard learned counsel for the applicant, learned A.G.A. for the State and perused the material brought on record.
2. This is third bail application filed by the applicant in F.I.R. No. 447 of 2022, under Section 386 IPC, Police Station Kotwali Nagar, District Gonda with the prayer to enlarge him on bail.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in the present case and his involvement was found in the confessional statement of co-accused Yuvraj, who has already been enlarged on bail by this Court in Bail Application No. 11988 of 2022 vide order dated 19.10.2022. It is further submitted that the applicant has also been implicated in 19 other cases and in all of which, he is on bail. It is also submitted that till today, even the charge has not been framed and there is no possibility of conclusion of trial in near future. It is lastly submitted that the applicant, who is in jail since 20.08.2022, is entitled for bail.
4. Learned A.G.A., while opposing the prayer of the applicant, vehemently submits that the applicant is having criminal antecedent of 19 cases and most of the cases are heinous in nature. It is, thus, submitted that the applicant is not entitled for bail.
5. Considering the arguments advanced by the learned counsel for the applicant, learned A.G.A. and going through the contents of F.I.R., earlier orders rejecting the bail applications of the applicant and other relevant

documents, it is evident that applicant is having criminal antecedent of 20 cases, including the present case.

6. In such circumstances, this Court is of the view that the application is liable to be dismissed and is hereby dismissed.

7. However, trial court is directed to conclude the trial expeditiously preferably within a period of one year, without giving any unnecessary adjournments to either of the parties.

8. District & Sessions Judge, Gonda is also directed to monitor the trial of the case in question.

9. Office is directed to communicate this order to the court concerned for necessary compliance, forthwith.

10. It is open to the applicant that, in case, the trial is not concluded within the aforesaid period, he may move fresh bail application.

Order Date :- 16.11.2023

VKS