

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 11524 of 2022

Applicant :- Mohd. Saleem Khan

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

Counsel for Applicant :- Anand Kumar Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Anand Kumar Srivastava, the learned counsel for the applicant, Sri Anurag Verma, the learned A.G.A.-I for the State and perused the records.

2. This is the second application seeking release of the applicant on bail in Case Crime No. 0092 of 2021, under Sections 419, 420, 467, 468, 469, 471 I.P.C., registered at Police Station Raunahi, District Faizabad/Ayodhya.

3. The first bail application bearing Criminal Misc. Bail Application No.4656 of 2021 was rejected by this court by means of an order dated 11.04.2022 and while rejecting the bail application this court had directed the learned trial court to make endeavour to conclude the trial and decide the matter expeditiously if there is no other legal impediment within a period of one year from the date of production of a certified copy of this order.

4. The second application has been moved on the ground that the trial is not concluded even after expiry of period of more than one year. Although, the application has been filed with the sole ground that the trial court did not decide the matter within a period of one year from the date of production of a certified

copy of this order, the date of production of a certified copy of the order before the trial court has not been disclosed in the affidavit filed in support of bail application.

5. Sri Anurag Verma, the learned A.G.A.-I has vehemently opposed the bail application. Sri Ramashray Rai, Inspector is present from the Senior Superintendent of Police's Office, Ayodhya and he has instructed Sri Anurag Verma, the learned A.G.A.-I who submitted that the PW-1 is the informant of the case and as per the instructions he has regularly attended the proceedings of the trial to get his statement recorded but his statement could not be recorded for some reason or the other and often on the ground that the advocates were abstaining from judicial work.

6. In view of the aforesaid facts, I am of the view that the applicant cannot be granted bail on the ground of delay in conclusion of the trial. However, the learned trial court is directed to proceed with the trial expeditiously, and fix at least two dates in every week. All the witnesses in attendance should be examined by the trial court. No unnecessary adjournment will be granted to any of the parties.

7. The Senior Superintendent of Police, Ayodhya is directed to personally ensure presence of the prosecution witnesses on the dates fixed by the learned trial court.

8. With the aforesaid observations, the bail application is **dismissed**.

Order Date :- 16.10.2023
Ram.