

Court No. - 12

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 11114 of 2023

Applicant :- Mohd. Rafeeq Idrishi

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

Counsel for Applicant :- Vipin Kumar Mishra, Suneel Kumar Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Rajeev Singh, J.

1. Heard learned counsel for the applicant and learned A.G.A. for the State.
2. The present bail application is filed on behalf of the applicant involved in the Case Crime No.109/2021 under Section 302 I.P.C., Police Station Madiyaon, District Lucknow.
3. Learned counsel for the applicant has submitted that applicant is in jail since 28.2.2021 and first bail application was rejected on 13.1.2022 with a direction to the trial court to conclude the trial expeditiously without giving unnecessary adjournment to either of the parties but till today trial has not been concluded, therefore, applicant is entitled for bail.
4. Learned A.G.A. has opposed the prayer of the applicant and submitted that applicant is husband and all the allegations are against him. He next submitted that 15 injuries were found on the body of the deceased and knife was also found, therefore, merely on the basis of delay in trial, applicant is not entitled for bail.
5. Considering the submissions of learned counsel for the parties, going through the record as well as other relevant documents, as earlier a direction was issued to the trial court to inform the status of the trial of case in question, in response to the same, learned District and Sessions Judge, Lucknow has informed the status vide letter dated 30.8.2023 by mentioning that two witnesses has been summoned and all possible efforts were made for concluding the trial. As it is evident from the record that applicant is a husband and allegation of killing his wife are alleged against

him, therefore, this court is of the view that applicant is not entitled for bail, accordingly, the bail application is **dismissed**.

6. Trial court is directed to conclude the trial within one year from the date of production of certified copy of this order.

Order Date :- 18.11.2023

Gaurav/-