

Court No. - 27

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13065 of 2023

Applicant :- Sahil Alias Chhotu Alias Mahesh Nayar

Opposite Party :- State Of U.P

Counsel for Applicant :- Rishabh Kapoor, Avinash Pratap Singh

Counsel for Opposite Party :- G.A.

Hon'ble Brij Raj Singh, J.

1. Heard learned counsel for the applicant and Sri Ravish Chandra Mishra, learned A.G.A. for the State.

2. The present third bail application has been filed by the applicant with a prayer to enlarge him on bail in Case Crime No. 1181 of 2018 (Sessions Trial No.181 of 2019) under sections 302, 34 IPC Police Station Thakurganj District Lucknow as the second bail application of the accused-applicant bearing Criminal Misc. Bail Application No. 3050 of 2023 was rejected by this Court on 20.03.2023 with the direction to trial court to conclude the trial within a year.

3. Learned counsel for the applicant that only four witnesses have been examined and the applicant is languishing in jail since 05.10.2018 as such the applicant may be released on bail.

4. On the other hand, learned A.G.A. has pointed out that one year's time will expire on 20.03.2024 and the present third bail application filed by the accused-applicant is premature.

5. After arguing at some length, learned counsel for the applicant prays that he does not want to press the bail application on merit. He has submitted that after completion of one year from the date of rejection of second bail application, he may be permitted to move fresh bail application.

6. Accordingly, the present third bail application filed by the accused-applicant is **rejected** as not pressed with liberty to move fresh bail application after 20.03.2024, if so advised.

Order Date :- 6.11.2023

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