

Court No. - 1

Case :- CRIMINAL APPEAL No. - 51 of 2019

Appellant :- Ganga Ram

Respondent :- State Of U.P.

Counsel for Appellant :- Bachchu Lal Yadav

Counsel for Respondent :- G.A.

Hon'ble Ramesh Sinha,J.

Hon'ble Dinesh Kumar Singh-I,J.

Order on Crl. Misc. Bail Application No. 1 of 2019.

Heard Sri B.L. Yadav, learned counsel for the appellant, Sri G.P. Singh, learned A.G.A. for the State and perused the lower court record.

Learned counsel for the appellant submits that the appellant is the husband of the deceased. On the date and time of incident, the appellant was not present at the place of occurrence. All the witnesses of fact have turned hostile. The doctor, who conducted the post mortem of the deceased in his cross examination has stated that the injuries sustained by the deceased could have been caused on account of fall also. The appellant is in jail since the year 2015.

Learned A.G.A. opposed the prayer for bail and submitted that the deceased died an unnatural death in her matrimonial home and the appellant being the husband has failed to explain the death of his wife. As per the post mortem report, the deceased has suffered injuries on her chest and her ribs were found to be fractured.

Without expressing any opinion on the merits of the case and considering the submission advanced, we find no good ground for grant of bail to the appellant Ganga Ram convicted and sentenced in S.T. No. 141 of 2015 arising out of case crime no. 680 of 2015 under sections 498-a, 304B, 504, 506, 302 I.P.C. and 3/4 D.P. Act, police station Dudhara, District Sant Kabir Nagar.

Accordingly, the bail application is ***rejected.***

The hearing of the appeal is expedited.

Office is directed to prepare the paper book and list the appeal after six months before appropriate Bench for final hearing.

(Dinesh Kumar Singh-I, J.) (Ramesh Sinha, J.)

Order Date :- 11.4.2019

Shiraz