

Court No. - 67

Case :- CRIMINAL APPEAL No. - 357 of 2020

Appellant :- Ashok

Respondent :- State of U.P.

Counsel for Appellant :- Abhinav Gaur, Ajay Kumar Singh, Ramanuj Tiwari, Sandal Khanna, Shashi Kumar Tiwari, Vinod Singh

Counsel for Respondent :- Chandra Prakash Pandey, G.A.

Hon'ble Rahul Chaturvedi, J.

Hon'ble Nalin Kumar Srivastava, J.

Order on Crl. Misc. IInd Bail Application

1. Heard Shri Sheshadri Trivedi, learned counsel for the appellant-applicant, Shri Brij Kishore Singh, holding brief of Sri Chandra Prakash Pandey, learned counsel for the complainant / informant, Sri Ghanshyam Kumar, learned A.G.A. for the State and perused the record.

2. This is the second bail application moved on behalf of the appellant-applicant Ashok.

3. While contesting the second bail application, learned counsel for the appellant-applicant has submitted that the earlier bail application of the appellant-applicant was turned down by the coordinate Bench of this Court on 2.2.2023. The only new ground taken in this repeat bail application by drawing our attention to the custody certificate is that the appellant had already undergone almost 8 years of incarceration. It is further contended that the condition of the appellant-applicant Ashok is precarious and serious. He is suffering from paralysis and other serious ailments. Learned counsel for the appellant-applicant has drawn the attention of the Court towards various medical prescriptions / reports relating to kidney, liver and hypertension and submitted that on ground of serious ailment, he may be released on bail.

4. In the circumstances, the Senior Superintendent of Central Jail, Etawah is directed to constitute a team of three senior Doctors, who shall examine the health condition of the appellant-applicant particularly, the kidney and liver function as well as hypertension and submit its detailed report in respect of his health condition and medication taken by him by the next date of listing.

5. Put up this case on 27.4.2024.

6. We expect and hope that the desired report shall be received within the time specified above.

7. Let copy of this order be given to Shri Ghanshyam Kumar, learned A.G.A. within 24 hours for transmitting the same and obtaining the report from the concerned jail authorities.

Order Date :- 19.4.2024

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