

**Court No. - 1**

**Case :-** CRIMINAL APPEAL No. - 4275 of 2016

**Appellant :-** Gyan Chandra

**Respondent :-** State Of U.P.

**Counsel for Appellant :-** Ashwani Kumar Sachan, Anil Kumar Srivastava, Saurabh Sachan

**Counsel for Respondent :-** G.A., Ajay Kumar Vashistha

**Hon'ble Ramesh Sinha, J.**

**Hon'ble Dinesh Kumar Singh-I, J.**

***Order on Crl. Misc. Bail Application No. 265881 of 2016.***

Counter-affidavit has been filed by learned A.G.A. and the same is taken on record.

Heard Sri Anil Kumar Srivastava, learned counsel for the appellant, Sri Ajay Kumar Vashistha, learned counsel for the complainant, Sri Irshad Husain, learned brief holder for the State and perused the lower court record.

Learned counsel for the appellant submits that the appellant is said to have fired shot at the deceased who received two gunshot injuries. The appellant is in jail since 18.12.2013; he has been falsely implicated in the present case. It is further submitted by the learned counsel for the appellant that trial court has misread the evidence and convicted him wrongly. He further pointed out that except the two witnesses who are related to the deceased, there appears to be no independent witness.

Learned A.G.A. opposed the prayer for bail and submitted that eye-witnesses' account corroborates the medical report of the deceased.

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 Gyan Chandra convicted and sentenced in S.T. No. 149 of 2014 arising out of Crime no. 762 of 2013 under section 302/34 I.P.C., Police station Bilsa, District Budaun and in S.T. No. 151 of 2014 arising out of Crime no. 763 of 2013 under section 3/25 Arms Act, Police station Bilsa, District Budaun.

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

The hearing of the appeal is expedited.

Office is directed to prepare the paper book within eight months and list the same before appropriate Bench for final hearing.

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

**Order Date :- 1.10.2018**

A. Mandhani