

Court No. - 47

Case :- CRIMINAL APPEAL No. - 5624 of 2022

Appellant :- Gyan Singh

Respondent :- State of U.P.

Counsel for Appellant :- Rajrshi Gupta, Rizwan Ahamad, Sr. Advocate

Counsel for Respondent :- G.A.

Connected with

Case :- CRIMINAL APPEAL No. - 4971 of 2022

Appellant :- Dharmendra Pratap Singh @ Narendra @ Dharmendra Bhadauria @ Bhaiya @ Dharmendra Singh

Respondent :- State of U.P.

Counsel for Appellant :- Rajrshi Gupta, Santosh Kumar Mishra, Sr. Advocate

Counsel for Respondent :- G.A.

With

Case :- CRIMINAL APPEAL No. - 4988 of 2022

Appellant :- Kishori Lal Patel

Respondent :- State of U.P.

Counsel for Appellant :- Rajrshi Gupta, Santosh Kumar Mishra, Sr. Advocate

Counsel for Respondent :- G.A.

With

Case :- CRIMINAL APPEAL No. - 5245 of 2022

Appellant :- Dhaniram

Respondent :- State of U.P.

Counsel for Appellant :- Rajrshi Gupta, Santosh Kumar Mishra, Sr. Advocate

Counsel for Respondent :- G.A.

With

Case :- CRIMINAL APPEAL No. - 5345 of 2022

Appellant :- Devsharan Patel And Another

Respondent :- State of U.P.

Counsel for Appellant :- Swati Agrawal Srivastava

Counsel for Respondent :- G.A.

With

Case :- CRIMINAL APPEAL No. - 5359 of 2022
Appellant :- Chunbad Patel And 2 Others
Respondent :- State of U.P.
Counsel for Appellant :- Swati Agrawal Srivastava
Counsel for Respondent :- G.A.

With

Case :- CRIMINAL APPEAL No. - 5403 of 2022
Appellant :- Kalyan Singh Patel
Respondent :- State of U.P.
Counsel for Appellant :- Manish Gupta, Vinay Kumar
Counsel for Respondent :- G.A.

With

Case :- CRIMINAL APPEAL No. - 5477 of 2022
Appellant :- Ram Prasad Vishwakarma
Respondent :- State of U.P.
Counsel for Appellant :- Rajrshi Gupta, Rizwan Ahamad, Sr. Advocate
Counsel for Respondent :- G.A.

With

Case :- CRIMINAL APPEAL No. - 5832 of 2022
Appellant :- Ashok Patel Alias Angrej
Respondent :- State of U.P.
Counsel for Appellant :- Kameshwar Singh
Counsel for Respondent :- G.A.

Hon'ble Ashwani Kumar Mishra, J.
Hon'ble Vinod Diwakar, J.

Applications for suspension of sentence and grant of bail are moved on behalf of the accused appellants, who have been convicted in Sessions Trial No. 140 of 2007 (State Vs. Kalyan Singh and others), under Sections 302/149 IPC read with Section 12 of Uttar Pradesh Dacoity Affected Area Act, Section 307/149 IPC read with Section 12 of Uttar Pradesh Dacoity Affected Area Act, Sections 147, 148 IPC and Section 7 of Criminal Law Amendment Act arising out of Case Crime No.326 of 2007, P.S. Karvi, District Chitrakoot and the maximum sentence awarded to them is life imprisonment. The rest of the sentences are lesser sentences and all the sentences have been ordered to run concurrently.

As per prosecution, in an anti-dacoity campaign, one Maiyadeen was done to death by the police party. Six police personnels along with the informer were returning when they were surrounded by a group of persons, who indiscriminately fired on the police party, as a result of which six police personnel along with an informer have been done to death.

Considering the severity of the offence, we are of the opinion that the appeal itself may be heard finally since lower court records have been received.

Sri Dilip Kumar, learned Senior Counsel appearing for the accused Gyan Singh, Dharmendra Pratap Singh, Kishori Lal Patel, Dhani Ram and Ram Prasad Vishwakarma states that since the appeal is proposed to be heard finally, he shall not press the bail applications at this stage.

We find no reason to take a different view in respect of other accused on the bail applications and prayer for grant of bail on behalf of other accused in this bunch of appeals is also rejected.

The bail applications are accordingly dismissed as not pressed, at this stage.

Office is directed to prepare the paper books within a month and list this bunch of appeals for hearing on 02.05.2023.

Order Date :- 5.4.2023

Ashish Pd.