

Court No. - 43

Case :- CRIMINAL APPEAL No. - 4559 of 2012

Appellant :- Karan Singh

Respondent :- State of U.P.

Counsel for Appellant :- Sudhakar Singh

Counsel for Respondent :- Govt. Advocate

Hon'ble Ashwani Kumar Mishra,J.

Hon'ble Shiv Shanker Prasad,J.

(Ref:- Criminal Misc. Bail Application No.341000 of 2012)

Heard Sri Sudhakar Singh for the appellant and Sri Arun Kumar Singh for the State.

This is the first bail application filed on behalf of the appellant Karan Singh, who has been sentenced to life alongwith fine of Rs. 1 lac under Section 376 IPC. The accused appellant is stated to be in jail since 7.9.2009. The bail application is pressed primarily on the ground of long period of incarceration undergone in jail, relying upon the order dated 25th February, 2022 of the Supreme Court in Criminal Appeal No. 308/2022 arising out of SLP (Crl.) No. 4633 of 2021 in Saudan Singh Vs. State of U.P.

Bail application is strongly opposed by Sri Arun Kumar Singh learned AGA, who submits that this is a case of heinous offence in which a three year old minor girl has been raped by the accused appellant and the medical evidence as also the testimony of minor clearly supports the commissioning of offence.

We have considered the respective submissions advanced on behalf of counsel for the parties and considering the gravity of offence as also the evidence adduced by the prosecution, which supports the allegation of rape upon a three year old minor girl, without commenting upon merits of the case, we decline the prayer made for grant of bail to the accused appellant.

Bail application is, accordingly, rejected.

Office is directed to get the paper books prepared, forthwith, as lower court record has already been received and list this appeal for hearing after four weeks.

Order Date :- 12.9.2022

Anil