

Court No. - 43

Case :- CRIMINAL APPEAL No. - 9312 of 2023

Appellant :- Ramgyan Singh

Respondent :- State of U.P.

Counsel for Appellant :- Lalji Yadav, Yashpal Yadav

Counsel for Respondent :- G.A.

Hon'ble Ashwani Kumar Mishra, J.

Hon'ble Dr. Gautam Chowdhary, J.

(Ref:- Criminal Misc. Suspension of Sentence Application)

An application for suspension of sentence and grant of bail is filed on behalf of the accused appellant Ramgyan Singh, who has been convicted in Sessions Trial No.322 of 2015 (State of U.P. Vs. Ramgyan Singh), arising out of Case Crime No.8 of 2012, under Section 307, 302 IPC, Police Station Kaptanganj, District Kushinagar, and the maximum sentence awarded to him is life imprisonment. The rest of the sentences are lesser sentences and all the sentences have been ordered to run concurrently.

In a brutal incident, accused appellant assaulted two of his daughters, aged about 14 years and 9 years, and later set them on fire. Other family members including wife and son were also beaten. One daughter of the accused appellant died immediately, whereas the other died after sometime. Relying upon the testimony of eye-witnesses, the accused appellant has been convicted and sentenced as per the above.

Learned counsel for the appellant submits that second daughter of the appellant died more than a month later and the exact cause of death is not disclosed. It is further submitted that accused appellant has already remained in jail for more than 10 years and as hearing of the appeal may take some more time, as such the accused appellant is entitled to be enlarged on bail.

Learned AGA, on the other hand, strongly opposes the bail application on the ground that appellant has acted in a brutal manner in which not only his wife but also children have been assaulted and two of the daughters were burnt. While one of the daughter died on the spot, the other died sometime later.

Considering the seriousness of allegation made as also the nature of evidence on record, we are not inclined to grant bail to the

appellant even after 10 years of incarceration. Bail application, accordingly, is rejected.

List this appeal alongwith paper books for 'final hearing' in due course.

Order Date :- 30.7.2024

Anil