

Court No. - 51

Case :- CRIMINAL APPEAL No. - 6518 of 2017

Appellant :- Amzad

Respondent :- State Of U.P.

Counsel for Appellant :- Ashok Kumar Singh,Pratibha Singh

Counsel for Respondent :- G.A.

Hon'ble Vipin Sinha,J.

Hon'ble Chandra Dhari Singh,J.

Heard learned counsel for the appellant and learned AGA for the State perused the record.

This is a bail application filed on behalf of the appellant, namely, Amzad in the instant criminal appeal.

Contention of learned counsel for the appellant is that the appellant has been falsely implicated in the present case due to ulterior motive and he has not committed any such crime as alleged and he is in jail since 26.11.2009.

However, learned AGA has opposed the prayer for bail with the contention that the appellant is named in the F.I.R., specific role of firing has been assigned to the appellant and eye-witness account is also present and burden under Section 106 Indian Evidence Act has not been discharged.

Without expressing any opinion on the merits of the case and also looking to the seriousness of the allegations, gravity of the offence and severity of the punishment, no case for grant of any indulgence is made out. Accordingly, the prayer for bail is hereby rejected.

Since the lower court record has been received, the hearing of the appeal be expedited under Chapter-VIII Rule 33A of the Rules of Court.

Let the paper book be prepared within two months from today and thereafter appeal be listed for hearing before appropriate Bench.

Order Date :- 28.3.2018

Jitendra