

Court No. - 46

Case :- CRIMINAL APPEAL No. - 7157 of 2017

Appellant :- Bhopal Singh And Another

Respondent :- State of U.P.

Counsel for Appellant :- Sudhindra Kumar Singh,A.B.L.
Gaur,Ajay Kumar Pandey,Rajneesh Sharma,Ram Raj Pandey

Counsel for Respondent :- G.A.,Manoj Vashishth,Nitin
Srivastava

Hon'ble Mrs. Sunita Agarwal,J.

Hon'ble Mrs. Sadhna Rani (Thakur),J.

In Re: Criminal Misc. (Bail) Application No. 392657 of 2017

Heard Sri G.S. Chaturvedi learned Senior Advocate assisted by Sri Ajay Kumar Pandey learned counsel for the appellant no. 1 namely Bhopal Singh son of Atal Singh and Sri Nitin Srivastava learned Advocate for the first informant. Learned A.G.A. appears for the State respondents.

Only submission of the learned Senior Advocate for the appellant no. 1 to press the bail application of the appellant no. 1 namely Bhopal Singh is that he is in jail for a period of more than fourteen years and being aged about 82 years as on date, he is entitled for bail.

It is vehemently contended that in similar circumstance, in various matters. which have been placed before this Court, the Apex Court have granted bail to the accused looking to the advance age and long period of incarceration.

In rebuttal, learned counsel for the first informant has made submissions about the gravity of the offence and the manner in which, the offence has been committed by the accused persons including the applicant herein.

Having considered the arguments of the learned counsel for the parties, looking to the involvement of the applicant in the incident in question which is a day light murder of four persons wherein serious injuries were also caused to one person in the open firing after entering in their house, we are not impressed with the arguments of the learned Senior Advocate about the long incarceration of the applicant. As regards the age of the applicant, we may note that he has been convicted for life.

No other point has been pressed for the prayer of bail.

Even otherwise, the appeal is pending since the year 2017 and the bail application has been argued only in the year 2021. On various dates, the matter has been passed over on the request of the counsel for the appellants.

For all the above reasons, we do not find it a fit case for grant of bail on the arguments of the learned counsel for the applicant.

The bail application is, accordingly, rejected.

Order sheet

The lower court record has been received.

Office is directed to prepare the paper book within a period of three weeks from today.

List this appeal for final hearing/disposal on 18.2.2022 in the additional cause list alongwith the connected appeals.

Order Date :- 6.1.2022

Brijesh