

Court No. - 48

Case :- CRIMINAL APPEAL No. - 7751 of 2017

Appellant :- Shankar Singh

Respondent :- State Of U.P.

Counsel for Appellant :- Mahadeo Singh Chandel

Counsel for Respondent :- G.A.

Hon'ble Karuna Nand Bajpayee,J.

Ref: Criminal Misc. Bail Application No. 422788 of 2017.

This bail application has been moved on behalf of the applicant-appellant in Criminal Appeal No. 7751 of 2017, who has been convicted and sentenced in S.T No. 229 of 2014, State versus Shankar Singh, arising out of Case Crime No. 42 of 2014, under Section 307 IPC, P.S. Marka, District Banda.

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

Submission of learned counsel for the appellant is that no serious internal damage has been caused by the injuries and, therefore, the appellant should be released on bail. Further submission is that the appellant has been convicted for the maximum of period of five years and he is languishing in jail since 25.10.2017 and there is little likelihood of early hearing of this appeal in near future.

Learned AGA has opposed the prayer for bail and has drawn the attention of the Court to the injuries caused to the victim which shows that the fire has gone through and through causing entry as well as corresponding exit wounds. Submission is that whether internal damage was caused or not will not much matter as the intention to cause death is apparent on the face of record.

Accordingly, the bail application stands rejected.

However, it may be observed that in case hearing of the appeal does not take place within a year from now for no fault attributable to the appellant, the appellant shall have a liberty to renew the prayer of his bail.

Order Date :- 5.4.2018

CPP/-