

Court No. - 44

Case :- CRIMINAL APPEAL No. - 6215 of 2021

Appellant :- Vishal

Respondent :- State of U.P.

Counsel for Appellant :- Kaushlendra Pratap Singh

Counsel for Respondent :- G.A.

Hon'ble Dr. Kaushal Jayendra Thaker,J.

Hon'ble Nalin Kumar Srivastava,J.

Order on Criminal Misc. Bail Application

1. Heard Sri Sudhanshu Pandey, learned Advocate for the accused-appellant and Sri N.K. Srivastava, learned A.G.A for the State.

2. The present bail application has been preferred by the accused-appellant **Vishal**, alongwith the above appeal, who has been convicted and sentenced to imprisonment for life vide judgment by the order dated 25.10.2021 passed by learned Additional Sessions Judge, Court No.9, Kanpur Nagar in S.T. No.564 of 2014, arising out of case crime no. 176 of 2014, under Section 302 IPC, three years rigorous imprisonment under Section 201 IPC and two years rigorous imprisonment under Section 404 IPC.

3. While going through the judgment of the trial court, we do not find any reason to enlarge the accused-appellant on bail. The factual data and as submitted by Shri Pandey that there were no phone call records nor there is any last seen evidence are the questions to be decided at the time of deciding the appeal. The release of accused on bail shall not be granted in the circumstances, as narrated by the learned AGA that the dead body was recovered and other incriminating evidence is against the accused. There was a love triangle and therefore also he had a motive to do away with the deceased and earlier also they were witness between the accused and the deceased. In these facts, we are unable to persuade ourselves to release the accused on bail and or suspend his sentence. Bail application is **rejected**.

Order on appeal

Office to prepare paper book.

List this matter as expeditiously as possible.

Order Date :- 21.9.2022

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