

Anwar Ali Vs. State of U.P.

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Court : Allahabad

Decided On : Feb-11-2000

Reported in : 2000CriLJ3086

Judge : M. Katju, J.

Acts : [Indian Penal Code \(IPC\), 1860](#) - Sections 304, 307, 504 and 506

Appeal No. : Cri. Misc. IVth Bail Appln. No. 19748 of 1999

Appellant : Anwar Ali

Respondent : State of U.P.

Advocate for Def. : A.G.A.

Advocate for Pet/Ap. : S.A. Lari, Adv.

Disposition : Application allowed

Judgement :

ORDER

M. Katju, J.

1. This is the fourth bail application of the applicant. The incident is of July 1998 and I am informed that the trial has not even commenced. I am also informed that nowadays in Uttar Pradesh it takes ordinarily about five years or more to complete

the trial. If a person is found innocent after five years (or more) the question arises as to who will restore those years of his life. This long time for completing the trial is itself an important consideration nowadays for grant of bail in most of the cases. Article 21 is also violated if the trial is not held speedily as held by the Supreme Court in a large number of cases.

2. The F.I.R. in the present case discloses that it is a case of circumstantial evidence. This fact coupled with the fact of delay in even commencing the trial makes it now a fit case for grant of bail.

3. In the circumstances let the applicant Anwar be enlarged on bail in case Crime No. 444 of 1998 under Sections 304, 307, 504, 506, I.P.C. police station Kotwali district Kushi Nagar on his executing a personal bond and two sureties each in the like amount to the satisfaction of Court concerned.

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