

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSCriminal Appeal No(s). 724-725/2021

RAJ KUMAR & ANR.

Appellant(s)

VERSUS

THE STATE OF UTTAR PRADESH

Respondent(s)

([ONLY IA NO. 133202/2024 IS LISTED UNDER THIS ITEM]
IA No. 133202/2024 - GRANT OF BAIL)

Date : 06-08-2024 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Appellant(s) Mr. Shiv Sagar Tiwari, AOR

Mr. Vishnu Sharma, AOR
Mrs. Anupama Sharma, Adv.
Mr. Amar Jyoti Sharma, Adv.
Mr. Surit Chaubey, Adv.
Ms. Ishtha Singh, Adv.For Respondent(s) Mr. Shaurya Sahay, AOR
Mr. Aditya Kumar, Adv.

UPON hearing the counsel the Court made the following

O R D E R

IA NO. 133202 OF 2024

1. Heard Mr. Vishnu Sharma, learned counsel appearing for the applicant/appellant No. 2 (Ram Kripal).
2. The counsel would submit that the applicant was carrying only a *Lathi* and therefore his conviction for the offence under Section 302 of the IPC should not be sustained.
3. However, we have perused the evidence of the eye-witness. The conviction of the applicant for murder is with the aid of Section

34 of the IPC. Therefore, the applicant cannot be absolved of the liability for gunning down the victim who was shot in the chest. Accordingly, the application is found devoid of merit and the same is accordingly dismissed.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(KAMLESH RAWAT)
ASSISTANT REGISTRAR