

Krishna's bail plea rejected

Krishna, who worked as compounder with murdered teenager Aarushi's father Rajesh Talwar, was Monday denied bail by a court here.

Central Bureau of Investigation (CBI) Court Magistrate Sapna Mishra Tripathi in her order referred to article 437 of the Criminal Procedure Code (CrPC) and rejected his bail plea.

The judge noted that the bail application was rejected as the case was being tried by the sessions court and Krishna does not come under the category of disabled, senior citizen or woman and thus was not eligible for relief.

Earlier, the defence counsel argued that the CBI had till now not specified Krishna's crime and thus he was not accused of murder. Therefore, the magistrate court was competent to grant him bail at this stage.

But CBI prosecutor R.K. Saini challenged the jurisdiction of the magistrate court. He said Krishna is accused in the case of a heinous crime.

Citing a Supreme Court ruling, he said before granting bail, the magistrate should consider the gravity of the case and as the crime is punishable with life imprisonment or capital punishment, the bail application does not come under the jurisdiction of the magistrate court.

Earlier, the court had remanded Krishna to 14 days' judicial custody. Then the defence counsel had requested the court to discharge the accused since the CBI had failed to produce any substantial evidence against him, but the agency argued that it was not an appropriate stage to discharge the accused.

Krishna, arrested June 13, has been subjected to lie-detector tests and the agency has said that he has confessed to his involvement in the crime.

Aarushi, 14, was found dead in her Noida apartment May 16. The police initially named missing domestic help Hemraj as the prime suspect but backtracked after his body was found on the terrace of the house the next day.

The Noida police arrested Rajesh Talwar May 23 for the twin murders. The CBI took over the case June 1 after a public outcry over the shoddy manner in which the Noida police had conducted the investigations.

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