

Court No. - 85

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 25643 of 2023

Applicant :- Ranjeet Yadav

Opposite Party :- State of U.P.

Counsel for Applicant :- Anjani Kumar Rai, Brijesh Kumar Mishra

Counsel for Opposite Party :- G.A., Rajesh Pratap Singh

Hon'ble Mayank Kumar Jain, J.

Supplementary affidavit filed today is taken on record.

Heard learned counsel for the applicant, learned A.G.A. for the State and learned counsel for the informant and perused the record.

The present second bail application has been filed on behalf of applicant in Case Crime No.171 of 2020, under Sections 147, 148, 149, 302/34, 120-B of IPC and Section 3/25 of Arms Act, Police Station Devgaon, District Azamgarh with the prayer to enlarge the applicant on bail. First bail application of the applicant was rejected by this Court vide order dated 03.02.2023 in Criminal Misc. Bail Application No. 49685 of 2022.

The only ground taken by the learned counsel for the applicant is that co-accused Lal Bahadur Yadav having similar role with the present applicant has been granted bail by co-ordinate Bench of this Court on 25.08.2023 passed in Criminal Misc. Bail Application No.34053 of 2023. It is submitted that applicant is innocent and has been falsely implicated in the present case. Applicant is in jail since 20.08.2020.

Learned Additional Government Advocate has vehemently opposed the prayer for grant of bail and argued that the bail application of co-accused Surendra Yadav has been rejected on 25.09.2023 passed in Criminal Misc. Bail Application No.6085 of 2023. It is further submitted that co-accused Lal Bahadur Yadav was granted bail on the basis of the fact that he was 60% disable from his waist to lower limb and the court opined that it cannot be expected with him to run behind young boy and shoot him from close range, therefore, this is not a case of parity.

Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties, nature of evidence and gravity of the offence and the fact that in this case two persons are done to death, without expressing any opinion on merits of the case, the Court is of the view that the applicant is not entitled for the bail, therefore, the bail application is ***rejected***.

Any observation made above shall not be treated as any finding on the merit and shall not prejudice the trial.

Order Date :- 31.10.2023

Mohit