

Court No. - 78

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 36006 of 2023

Applicant :- Ravindra Nath Yadav @ Ravi Yadav

Opposite Party :- State of U.P.

Counsel for Applicant :- Sadhu Sharan

Counsel for Opposite Party :- G.A.

Hon'ble Raj Beer Singh,J.

1. Second supplementary affidavit filed on behalf of the applicant in the Court today, is taken on record.
2. Heard learned counsel for the applicant, learned A.G.A. for the State and perused the record.
3. The present bail application has been filed by the applicant in Case Crime No. 105 of 2023, under Sections-420, 406, 504, 506, 120-B I.P.C. and Sections-7/13 Prevention of Corruption Act, Police Station-Kotwali, District-Mau, with the prayer to enlarge the applicant on bail.
4. According to prosecution version, the co-accused Deenbandhu Gupta, who was working as Administrative Officer in Jila Panchayat Office, has taken an amount of Rs. 35,00,000/- from the complainant on pretext that he would get allotted two shops to him. An amount of Rs. 4,00,000/- was transferred by the complainant into the account of co-accused Deenbandhu Gupta and the remaining amount was paid in cash.
5. Learned counsel for the applicant submitted that the only allegation made against the applicant is that when the informant used to visit the office of Zila Panchayat to demand his money, the applicant and some other employees of Zila Panchayat used to abuse and threaten him. There is no such evidence that the

applicant has demanded any money from the complainant or any amount was paid to him. The alleged amount of Rs. 4,00,000/- had been given to co-accused Deenbandhu Gupta. It was also submitted that the applicant has been falsely implicated merely because he was working as an employee in Zila Panchayat. Similarly placed co-accused Vishal Gupta alias Vikki has already been granted bail by this Court vide order dated 3.8.2023 passed in Criminal Misc. Bail Application No. 31058 of 2023. Lastly, it was submitted that applicant is languishing in jail since 6.7.2023, having no criminal history, and that in case he is released on bail, he will not misuse the liberty of bail and will co-operate in trial.

6. Learned A.G.A. has opposed the bail application and submitted that the applicant was working in Zila Panchayat Office with co-accused Deenbandhu Gupta, who had taken amount to the tune of Rs. 35,000,00/- from the complainant on the pretext of allotment of two shops. It was also submitted that the applicant has threatened the informant when he visited the office of Zila Panchayat.

7. Considering the submissions of learned counsel for the parties, nature of accusations, period of custody and all attending facts and circumstances of the case, without expressing any opinion on the merits of the case, the Court is of the view that a case for bail is made out. Hence, the bail application is hereby allowed.

8. Let the applicant-**Ravindra Nath Yadav @ Ravi Yadav**, involved in aforesaid case crime, be released on bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions:

(i) The applicant shall not tamper with the evidence during the trial.

(ii) The applicant shall not pressurize/intimidate the prosecution

witness.

(iii) The applicant shall appear before the Trial Court on the date fixed, unless personal presence is exempted.

(iv) The applicant shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.

(v) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence.

9. In case of breach of any of the above condition, the Court concerned shall be at liberty to cancel bail of applicant in accordance with law.

Order Date :- 27.10.2023

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