

Court No. - 78

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 39738 of 2023

Applicant :- Raghvenra Singh

Opposite Party :- State of U.P.

Counsel for Applicant :- Amit Singh, R.P.S. Chauhan

Counsel for Opposite Party :- G.A.

Hon'ble Raj Beer Singh, J.

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

2. The present bail application has been filed by the applicant in Case Crime No. 295 of 2023, under Section-7 of the Prevention of Corruption Act, P. S.-Ubhawan, District-Ballia, with the prayer to enlarge the applicant on bail.

3. Learned counsel for the applicant submitted that the applicant is innocent and he has been falsely implicated in this case. The applicant was working as Registrar Kanoogo. As per prosecution version, the applicant has demanded an amount of Rs. 2700/- from the de-facto complainant for correction of his name in the revenue record and thereafter on the complaint of de-facto complainant, on 8.8.2023 the applicant was apprehended by a trap team, while accepting an amount of Rs. 2700/- from the de-facto complainant. Learned counsel submitted that there is no independent witness of the alleged incident. Referring to the facts of the matter, it was submitted that there was absolutely no occasion on the part of the applicant to demand any amount from the de-facto complainant and that he has falsely been implicated due to ulterior motive. Before this incident, there has been no complaint against the

applicant. It is further submitted that the investigation of the case is already complete and charge-sheet has been filed in the Court. Lastly, it is submitted that the amount of Rs. 2700/- is shown involved and that the applicant is languishing in jail since 9.8.2023, having no criminal antecedents to his credit and that in case the applicant is released on bail, he will not misuse the liberty of bail and will cooperate in trial.

4. Learned A. G. A. has opposed the application and submitted that the applicant was apprehended red handed while accepting an amount of Rs. 2700/- from the de-facto complainant.

5. 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.

6. Let the applicant-**Raghvendra Singh** 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 below 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.

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

Order Date :- 8.11.2023

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