

Court No. - 66

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 53223 of 2022

Applicant :- Rama Nand

Opposite Party :- State of U.P.

Counsel for Applicant :- Dev Raj Singh, Swati Agrawal Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Ajay Bhanot, J.

By means of this bail application the applicant has prayed to be enlarged on bail in Case Crime No. 198 of 2011 at Police Station Sarai Akil, District Kaushambi under Section 342, 504, 506, 306 I.P.C. The applicant is in jail since 28.10.2022.

The bail application of the applicant was rejected by the learned trial court on 08.11.2022.

The following arguments made by Ms. Diksha Verma, learned counsel holding brief of Ms. Swati Agrawal Srivastava, learned counsel on behalf of the applicant, which could not be satisfactorily refuted by Shri Shrawan Kumar Dubey, learned AGA from the record, entitle the applicant for grant of bail:

1. The applicant is related to the girl who had eloped with one Lavkush.
2. The incident created a social stigma in the society and in the families. Both the family perceived it to the dishonour to their names. The mother of Lavkush

committed suicide on account of social pressure.

3. The deceased committed suicide by jumping into the well.

4. The applicant did not aid or abet the suicide.

5. The applicant does not have any criminal history apart from the instant case.

6. The applicant is not a flight risk. The applicant being a law abiding citizen has always cooperated with the investigation and undertakes to join the trial proceedings. There is no possibility of his influencing witnesses, tampering with the evidence or reoffending.

In the light of the preceding discussion and without making any observations on the merits of the case, the bail application is allowed.

Let the applicant- **Rama Nand** be released on bail in the aforesaid case crime number, on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court below. The following conditions be imposed in the interest of justice:-

(i) The applicant will not tamper with the evidence or influence any witness during the trial.

(ii) The applicant will appear before the trial court on the

date fixed, unless personal presence is exempted.

Order Date :- 18.10.2023

Jaswant