

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 45527 of 2023

Applicant :- Ravi @ Ravi Chauhan

Opposite Party :- State of U.P.

Counsel for Applicant :- Bishram Tiwari

Counsel for Opposite Party :- G.A., Sugendra Kumar Yadav

Hon'ble Umesh Chandra Sharma, J.

1. Heard learned counsel for the applicant, Sri S.K. Yadav, for the complainant as well as learned A.G.A. for the State and perused the record.

2. The instant bail application under Section 439 Cr.P.C. has been filed with the prayer to enlarge the applicant on bail in Case Crime No. 278 of 2023 under Sections 389, 420, 468, 120-B IPC & 66 I.T. Act, Police Station- Barhaj, District- Deoria, during the pendency of the trial.

3. Counsel for the applicant contends that the applicant has been falsely implicated in the present case. There is inordinate delay in lodging the F.I.R. Though there is allegation of extracting Rs. 7,54,000/- from the complainant by the applicant and two other co-accused, however, no proper mode of such transaction has been shown by the complainant. The alleged obscene video has not been circulated nor recovered from the applicant. It is next contended that the co-accused Baijnath @ Badku Yadav, having identical role, have been granted bail by this court in Criminal Misc. Bail Application Nos. 48764 of 2023 vide order dated 16.11.2023. The applicant claims parity. The applicant is in jail since 16.08.2023, having no criminal history. In case he is enlarged on bail, he will not misuse the said liberty.

4. Learned A.G.A. has opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

5. Having regard to the submissions made but without commenting on merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

6. Let the applicant- **Ravi @ Ravi Chauhan**, involved in

aforesaid case be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to the conditions that he:

- (i) shall appear on the date fixed by the trial court;
- (ii) shall not tamper with the prosecution evidence;
- (iii) shall not pressurize the prosecution witnesses.

7. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

Order Date :- 2.12.2023

S.Verma