

Court No. - 70

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 48957 of 2023

Applicant :- Mangeram

Opposite Party :- State of U.P.

Counsel for Applicant :- Ramesh Chandra Yadav, Rakesh Singh

Counsel for Opposite Party :- G.A.

Hon'ble Sameer Jain, J.

1. Heard Shri Ramesh Chandra Yadav, learned counsel for the applicant and Shri Rajeev Dhar Dwivedi, learned A.G.A. for the State-respondent.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No.457 of 2011, under Section 498-A, 304-B, 201 IPC & Sections 3/4 D.P. Act, Police Station Nakud, District Saharanpur, during pendency of the trial in the court below.
3. From the record, it reflects that FIR of the present case was lodged on 22.08.2011 and applicant is in jail only since 12.10.2023 i.e. for last only about a month and therefore, it appears that applicant absconded for more than 12 years.
4. At this stage, learned A.G.A. for the State pointed out that after the process of Sections 82 and 83 Cr.P.C., applicant surrendered before the court concerned on 12.10.2023 and therefore, he is an absconder.
5. At this stage, learned counsel appearing on behalf of the applicant submits that in para 15 of the affidavit, applicant

explained why he appeared so belatedly.

6. From the paragraph 15 of the affidavit, it appears that general and vague averment has been made by the applicant with regard to treatment of cancer of his son and with regard to the treatment of his son, no medical document of the son of the applicant has been appended alongwith the instant bail application.

7. Further, applicant after the process of Sections 82 and 83 Cr.P.C. surrendered before the court concerned on 12.10.2023 and he is in jail only since 12.10.2023 i.e. for only about a month, therefore, considering the facts and circumstances of the case, it reflects that applicant is an absconder and he appeared after more than 12 years and he failed to provide any proper explanation in this regard.

8. In view of the above, without touching merit of the case, I am not inclined to release the applicant on bail at this stage, accordingly, the instant bail application filed by the applicant - **Mangeram is rejected.**

Order Date :- 17.11.2023

Zafar