

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 3996 of 2022

Applicant :- Raghuveer Prasad S/O Shri Putti Lal (Second Bail)

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Lko.

Counsel for Applicant :- Pranjal Krishna, Abhishek Khare, Shakti Pratap Diwedi, Upendra Kumar Sagar

Counsel for Opposite Party :- G.A., Romit Seth

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Upendra Kumar Sagar, learned counsel for the applicant, Sri Rao Narendra Singh, learned A.G.A.-I for the State, Sri Romit Seth, the learned counsel for the informant and perused the records.

2. This second application has been filed seeking release of the applicant on bail in Case Crime No. 160 of 2020, under Sections 120-B, 406, 419, 420, 467, 468, 471 of Indian Penal Code, 1860 and Sections 7, 13 of Prevention of Corruption Act, 1988, Police Station Hazratganj, District Lucknow.

3. The first Bail Application No. 8552 of 2020 was rejected by means of an order dated 29.01.2021 along with the bail applications of seven other co-accused persons. The second application has been moved on the ground that the applicant is languishing in jail since 25.08.2020 and the trial is not proceeding.

4. Opposing the bail application, Sri Romit Seth, the learned counsel for the informant has submitted that the applicant had submitted a discharge application, which was rejected by means of an order dated 15.10.2022. Several other co-accused persons have submitted discharge applications and all of them are adopting dilatory tactics which is resulting in delay in progress of the trial.

5. The learned counsel for the applicant has next submitted that subsequent to rejection of the first bail application of the applicant, one co-accused person Umesh Kumar Mishra has been granted bail by means of an order dated 22.05.2023 passed by this Court in Bail Application No. 14077 of 2021. The aforesaid co-accused person was working as Review Officer in the Secretariat and the allegations against him was that he had

paid some money to the applicant for arranging a forged gate pass to the main accused Ashish Rai.

6. Ashish Rai has also been granted bail by means of an order passed today by a Coordinate Bench of this Court in Criminal Misc. Bail Application No. 10389 of 2023.

7. As the aforesaid two co-accused persons have been granted bail in the present case whereas the applicant is languishing in jail since 25.08.2020, I am of the view that the applicant is also entitled to be released on bail in the aforesaid case.

8. Accordingly, this bail application stands ***allowed***.

9. Let the applicant-***Raghuveer Prasad S/O Shri Putti Lal*** be released on bail in Case Crime No. 160 of 2020, under Sections 120-B, 406, 419, 420, 467, 468, 471 of Indian Penal Code, 1860 and Sections 7, 13 of Prevention of Corruption Act, 1988, Police Station Hazratganj, District Lucknow on furnishing a personal bond and two sureties each in the like amount to the satisfaction of magistrate/court concerned, subject to following conditions:-

(i) the applicant shall not tamper with the prosecution evidence;

(ii) the applicant shall not pressurize the prosecution witnesses;

(iii) the applicant shall appear on each and every date fixed by the trial court.

Order Date :- 2.11.2023

Pradeep/-