

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 2337 of 2023

Applicant :- Mulayam Singh @ Sunny @ Mulayam Yadav

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

Counsel for Applicant :- Manoj Kumar Gupta, Durgesh Kumar
Awasthi

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Durgesh Kumar Awasthi, the learned counsel for the applicant as well as Smt. Parul Kant, the learned Additional Government Advocate appearing on behalf of the State and perused the records.
2. The instant application has been filed by the applicant seeking anticipatory bail in F.I.R. bearing Case Crime No. 12 of 2018, under Sections 376, 506 and 342 IPC, registered at Police Station - Ghunghter, District - Barabanki.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 14.02.2018 alleging that the applicant had raped the informant on several occasions and used to threaten her to spread the video virally.
4. In the affidavit filed in support of the anticipatory bail-application, it has been stated that the victim had married the applicant on 26.08.2017. Some photographs of the wedding ceremony and a copy of the marriage certificate issued by Arya Samaj Temple have been annexed with the affidavit filed in support of the application. The marriage has been registered by the Registrar of Marriages on 15.11.2017.
5. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.
6. Having considered the aforesaid facts and circumstances of the case, and keeping in view the fact that the applicant is a 28 years old person having no criminal history and without making any observations which may affect the outcome of the case, I am of the view that the aforesaid facts are sufficient for making out a case for granting anticipatory bail to the applicant.

7. In view of the above, the anticipatory bail application of the applicant is **allowed**. In the event of arrest/ appearance of **applicant- Mulayam Singh @ Sunny @ Mulayam Yadav** before the learned Trial Court in the aforesaid case crime, he shall be released on anticipatory bail on his furnishing personal bond and two solvent sureties, each in the like amount, to the satisfaction of S.H.O./Court concerned on the following conditions and subject to any other conditions that may be fixed by the Trial Court:

(i). That the applicant shall appear before the trial court on each date fixed, unless personal presence is exempted;

(ii). That 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 him from disclosing such facts to the court or to any police officer or tamper with the evidence;

(iii). That the applicant shall not pressurize/ intimidate the prosecution witness.

Order Date :- 19.10.2023

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