

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12812 of 2023

Applicant :- Abdul Razzak

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

Counsel for Applicant :- Firoz Ahmad Khan

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Firoz Ahmad Khan, learned counsel for the applicant as well as Sri Manish Kumar Pandey, the learned A.G.A-I for the State and perused the record.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 38 of 2023, under Section 504, 506 I.P.C and Section 3/5 (1) of the Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021, registered at Police Station- Mahila Thana, District- Ayodhya/Faizabad.

3. The aforesaid case has been registered on the basis of F.I.R. lodged on 14.07.2023 against (i) Shivam Yadav and, (ii) Khalid Ansari, alleging that the named accused persons had entangled the informant's daughter in a love affair and induced her to convert her religion. The F.I.R further alleged that the named accused persons forcibly committed the misdeed against the informant's daughter.

4. In the affidavit filed in support of the bail application, it has been stated that the applicant is innocent, he has been falsely implicated in the present case and he has no criminal history.

5. The applicant's name surfaced in the statement of the victim recorded under Section 161 and 164 Cr.P.C, from which it appears that she was in a relationship with one of the named accused person Khalid. Khalid was already married. The fact as stated that on one occasion, Khalid had introduced her to his friends, including the applicant and all the friends of the applicant had tried to persuade her to adopt *Islam*.

6. The learned counsel for the applicant has submitted that co-accused persons Mohd. Jeeshan and Naushad Ahmad have already been granted bail by means of order dated 11.10.2023,

27.10.2023 respectively passed by this Court in Criminal Misc. Bail Application Nos.12104 of 2023 and 12596 of 2023 respectively.

7. The learned A.G.A. has opposed the prayer of the bail, but he could not dispute the aforesaid aspects of the matter.

8. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the applicant is not named in the F.I.R and in the statement of the victim recorded under Section 161 and 164 Cr.P.C also, she has not levelled any allegation against the applicant except stating that the applicant had tried to persuade her to convert her religion, coupled with the fact that the applicant has no criminal history and he is languishing in jail since 04.08.2023 whereas two co-accused persons have been granted bail and without making any observations which may affect the merits of the case, I am of the view that the aforesaid facts are sufficient for making out a case for enlargement of the applicant on bail.

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

10. Let the applicant- **Abdul Razzak** be released on bail in the aforesaid case, on furnishing a personal bond and two sureties each in the like amount to the satisfaction of Magistrate/Court concerned, subject to the 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.

(Subhash Vidyarthi,J.)

Order Date :- 1.11.2023
Gurpreet Singh