

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13803 of 2023

Applicant :- Mannu Yadav @ Abdul Mannan

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

Counsel for Applicant :- Iqbal Ahmad, Ashma Izzat

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Iqbal Ahmad, the learned counsel for the applicant, Sri Shiv Nath Tilhari, the learned A.G.A.-I for the State and perused the records.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No.0009 of 2021, under Sections 417, 120-B, 153A, 153B, 295A, 298 I.P.C. and Sections 3, 5, 8 of U.P. Prohibition of Unlawful Conversion of Religion Act, 2021, registered at Police Station ATS (Gomti Nagar), District Lucknow.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 20.06.2021 against three persons, not including the applicant alleging that the accused persons are running an organization called Islamik Dawah Centre with the principle object of conversion of persons following other religions to islam.
4. The F.I.R. makes a mention that it has come to light through social media that one Rajiv Yadav has stated on a video that his son Mannu Yadav (the applicant) used to study in Deaf Society School, Noida and his religion was got converted without the consent of his family members. On the basis of the aforesaid statement made in the F.I.R. itself the applicant has been made an accused subsequently.

5. In the affidavit filed in support of bail application it has been stated that the applicant is a 23 years old innocent person, he has been falsely implicated in the present case and he has no criminal history.

6. Several co-accused persons have already been granted bail by this court and several co-accused persons have been granted bail by the Hon'ble Supreme Court. The co-accused person Irfan Khan @ Irfan Shaikh and Abdullah Umar have been granted bail by the Hon'ble Supreme Court by means of orders dated 22.02.2023 and 04.07.2023, passed in Special Leave Petition (Crl.) Nos. 8576 of 2022 and 3372 of 2023. While granting bail to the co-accused Abdullah Umar the Hon'ble Supreme Court has taken into consideration the fact that when the charge sheet has already been submitted and thereafter charges have also been framed, the accused is not required to be kept in detention pending trial.

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

8. Having considered the aforesaid facts and circumstances of the case particularly the fact that the applicant is not named in the F.I.R. as an accused person and two co-accused persons have been granted bail by the Hon'ble Supreme Court and keeping in view the fact that the charges have already been framed there is no need to keep the accused persons in custody; that the applicant is a young man of 23 years having no previous criminal history and he is languishing in jail since 26.06.2021 and without making any observation, 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 in the aforesaid crime.

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

10. Let the **applicant-Mannu Yadav @ Abdul Mannan** 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 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 :- 24.11.2023
Ram.