

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14228 of 2023

Applicant :- Ramji Yadav

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

Counsel for Applicant :- Nisha Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Smt Nisha Srivastava, learned counsel for the applicant, Sri Rajesh Kumar Singh, learned A.G.A. 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.0404 of 2023, under Sections 3(1) U.P. Gangster and Anti Social Activities (Prevention) Act, 1986, registered at Police Station Zaidpur, District Barabanki.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 21.09.2023 against five persons, including the applicant, alleging that the accused persons are involved in commission of offence of theft of electricity wires and making a life endangering attacks on public servants.

4. Gang chart mentions involvement of the applicant in 5 cases in all of which, he has been granted bail. Involvement of the applicant in 6 other cases has been disclosed in para 10 of the affidavit, in all of which he has been granted bail.

5. In the affidavit filed in support of bail application it has been stated that the applicant is innocent, and he has been falsely implicated in the present case.

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

7. Having considered the aforesaid facts and circumstances of the

case and keeping in view the fact that although the FIR alleges that there is so much terror of the accused persons that no person dares to come forward against them, as many as 9 FIRs have already been filed against the applicant by numerous persons from which the aforesaid allegations become weak and that the applicant has already been granted bail in all the cases; 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.

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

9. Let the **applicant**-Ramji Yadav be released on bail in aforementioned 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 :- 4.12.2023
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