

Court No. - 29

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14340 of 2023

Applicant :- Ravi Kumar Shukla

Opposite Party :- State Of U.P. Thru. Prin. Secy. (Home Deptt.), U.P.

Counsel for Applicant :- Vivek Bhatt, Ramesh Kumar Dubey

Counsel for Opposite Party :- G.A.

Hon'ble Mrs. Sadhna Rani (Thakur), J.

Heard learned counsel for the applicant, learned A.G.A. and perused the record.

This application has been moved by the applicant - Ravi Kumar Shukla to enlarge him on bail in Case Crime No. 438 of 2023 under Sections 386/506 IPC, Police Station Mankapur, District Gonda.

It is argued by the learned counsel for the applicant that as per FIR it is alleged that some unknown person by sending letter demanded ransom of Rs. 20,00,000/- from the first informant. There is CCTV camera installed at the house of the first informant. The accused and the first informant are the co-tenure holders, who live at a distance of hardly 150 meters to each other in the same village. As the applicant is known to the first informant, he must have recognised him by the CCTV footage but the FIR has been lodged against unknown persons with the delay of one day. No money transaction is said to have taken place. The offence cannot be said to be covered under Section 386 IPC, it comes within the purview of Section 387 IPC. The applicant is languishing in jail since 02.08.2023, hence, the prayer for bail is made.

Learned A.G.A. opposed the prayer for bail and submitted that in the CCTV footage the person, who was putting envelop regarding demand of ransom money, was recognised as the applicant and the hand writing of ransom letter is also recognised as the hand writing of the applicant by handwriting expert. However, it is admitted that no money transaction took place, hence, it is not covered under Section 386 IPC.

From perusal of the record, it is found that the ransom of Rs. 20,00,000/- is said to have been demanded by the applicant from the first informant by sending a letter. Admittedly, no

money has been paid by the first informant. The applicant is languishing in jail since 02.08.2023.

Considering the facts and circumstances of the case, perusing the record, the nature of allegations, arguments advanced by the learned counsel for the parties and without expressing any opinion on the merits of the case, I find it to be a fit case for granting bail to the applicant.

The bail application is allowed.

Let the applicant - **Ravi Kumar Shukla** involved in the aforesaid case be released on bail on furnishing personal bonds and two sureties each in the like amount to the satisfaction of the court concerned subject to the following conditions:-

1. The applicant will attend and co-operate the trial proceedings pending before the court concerned on the date fixed after release.
2. He will not tamper with the witnesses.
3. He will not indulge in any illegal activities during the bail period.

The identity, status and residential proof of sureties will be verified by the court concerned and in case of breach of any of the above conditions, the court below shall be at liberty to cancel the bail and send the applicant to prison.

It is clarified that the observations, if any, made in this order are strictly confined to the disposal of this bail application and must not be construed to have any reflection on the ultimate merits of the case.

Order Date :- 6.12.2023

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