

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14622 of 2023

Applicant :- Ram Sajeevan

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

Counsel for Applicant :- Umesh Kumar Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Umesh Kumar Pandey, the learned counsel for the applicant, Sri Manish Kumar Pandey, 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. 510 of 2023, under Sections 364, 120-B I.P.C., registered at Police Station Kotwali Bikapur, District Ayodhya.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 01.10.2023 alleging that the informant's father in law was abducted from his home on 22.09.2023.

4. 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. The applicant's involvement in another case has been disclosed in para 4 of the supplementary affidavit, in which the applicant has been convicted for the offence under Sections 323/34 and 324/34 I.P.C and he has been given the benefit of Probation of Offenders Act by means of an order dated 11.04.2023.

5. In the statement of the victim recorded under Section 161 Cr.P.C. he has stated that he had been abducted by seven persons with the object of getting a sale deed executed by him in respect of a land.

6. The learned counsel for the applicant has submitted that five co-accused persons, namely, Rajendra Prasad, Vishal Verma, Dharmendra Pandey, Ram Sevak and Jadamba Nishad, have already been granted bail in the present case and copies of their bail orders have been annexed as Annexure No. 9 to the

affidavit.

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 and keeping in view the fact that the incident occurred on 22.09.2023, whereas the F.I.R. was lodged on 01.10.2023; that five co-accused persons have already been enlarged on bail by this court whereas the applicant is languishing in jail since 02.10.2023 and without making any observation, which may affect the merits of the case, I am of the view that the applicant is also entitled to be released on bail.

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

10. Let the applicant- **Ram Sajeevan** 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 :- 14.12.2023

Preeti.