

Court No. - 4

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 3081 of 2023

Applicant :- Maneesh Kumar Chaudhari (In Fir Manish
Panchayat Sachiv)

Opposite Party :- State Of U.P. Thru. Addl. Chief Secy. Home
Lko. And Another

Counsel for Applicant :- Abhishek Mishra, Samanvya Dhar
Dwivedi, Vikrant Choudhary

Counsel for Opposite Party :- G.A.

Hon'ble Rajesh Singh Chauhan, J.

1. Heard learned counsel for the applicant and Ms. Charu Singh, learned Additional Government Advocate for the State.

2. This is the second anticipatory bail application as the first anticipatory bail application was allowed on 19.10.2022 passed in Criminal Misc. Anticipatory Bail Application (U/S 438 CR.P.C.) No.1749 of 2022 whereby the liberty of the applicant was protected till filing of the police report under Section 173 (2) Cr.P.C..

3. It has been informed by learned counsel for the applicant that pursuant to the aforesaid order, the applicant has participated in the investigation properly and did not disobey any direction being issued by this Court, thereafter, the investigation completed and the charge-sheet has been filed. He has further submitted that the applicant shall again participate in the trial proceedings and shall not take any unnecessary adjournment so that the trial in question could be concluded at the earliest, therefore, in view of the dictum of Hon'ble Apex Court in re: ***Sushila Aggarwal vs. State (NCT to Delhi) 2020 SCC Online SC 98***, his protection may be extended till conclusion of the trial.

4. Learned Additional Government Advocate has submitted that since the charge-sheet has been filed, therefore, the applicant should participate in the trial proceedings and the applicant may appear before the court concerned seeking his bail.

5. On being confronted learned Additional Government Advocate as to whether the present applicant has misused the protection so given to him earlier or anything adverse against him has been pointed out, she has fairly stated that there is

nothing adverse against the present applicant and he participated in the investigation proceedings.

6. Keeping in view the aforesaid facts and circumstances, I find it appropriate that earlier protection, so given to the applicant, be extended till conclusion of trial proceedings subject to furnishing a fresh personal bond of Rs.50,000/- and two sureties each in the like amount before the trial court concerned with the following conditions:-

(i). that the applicant shall participate in the trial proceedings before the trial court as and when required;

(ii) that the applicant shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence;

(iii) that the applicant shall not leave India without the previous permission of the court;

(iv) that in default of any of the conditions mentioned above, the investigating officer shall be at liberty to file appropriate application for cancellation of anticipatory bail granted to the applicant;

(v) that the applicant shall not pressurize/ intimidate the prosecution witness;

7. Before parting with, it is expected that the trial proceedings be concluded with expedition in accordance with law.

8. In view of above, the present second anticipatory bail application is ***disposed of***.

[Rajesh Singh Chauhan,J.]

Order Date :- 22.12.2023

Suresh/