



2025:JHC-1 K0:295H

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL APPEAL No. - 3065 of 2025

Deshraj

.....Appellant(s)

Versus

State Of U.P. Thru. Prin. Secy. Deptt. Of
Home Lko. And Another

.....Respondent(s)

Counsel for Appellant(s)	: Pankaj Kumar
Counsel for Respondent(s)	: G.A., Jyoti Gupta, Umesh Chandra Vishwakarma

Court No. - 27

HON'BLE RAM MANOHAR NARAYAN MISHRA, J.

1. The informant, Kalavati, has been produced by the police, Police Station Rampur Kala, District Sitapur in pursuance of an order dated 15/12/2025 passed by this Court. There is no dispute regarding the identification of the informant. The appellant has provided a demand draft of Rs 53,000/- to the complainant before the Court.

2. Learned counsel for the appellant submits that the counter-affidavit filed by the State Annexure-4 is an extract of the case diary and statement of the informant is mentioned wherein she has stated that she had not received her remuneration for cleaning the public toilet from the Gram Pradhan for 11 months, which comes to Rs.6,000/- per month. On 16/10/2024, it is stated that the Village Pradhan, Smt. Manju Devi, will pay Rs.53,000/- to her after deducting Rs13,000/- which had already been paid to her by the Gram Pradhan.

3. Police officials who produced the complainant before the

court, are directed to take her back to the place of her resident properly.

Order on CMA No.1 of 2025 - First Bail Application

1. Heard learned counsel for the appellant, learned AGA for the State respondent no.1 and perused the record.

2. Instant criminal appeal under section 14-A (2) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been preferred against the order dated 08.09.2025 passed by the learned Special Judge (S.C./ S.T. Act) Sitapur, in Bail Application No.288/2025, CIS No. 2636/2025 arising out of Case Crime No. 0107/2025, under Sections 419, 420, 504, 506 IPC & Section 3 (1) (Da) (Dha) of S.C./S.T. Act, at Police Station Rampurkala, District-Sitapur.

3. According to the prosecution version, Deshraj, who is the husband of Village Pradhan Manju Devi and Ram Pravesh, the Personal Secretary of the Village Development Officer committed fraud on informant Kalavati. She was asked to work for the cleaning of the public toilet in the village. She was working since 01/09/2021. She was only paid Rs17,500/- as Honorarium whereas Rs 2,50,000/- are due to be paid to her. When she demanded her outstanding amount of remuneration, her name was deleted from the toilet work, and she was abused and threatened. She belongs to the scheduled caste.

4. He next submitted that the appellant is in jail custody since 08/09/2025. He undertakes to abide by the conditions of bail in case he is granted liberty of bail. He lastly submitted that both the courts below have wrongly rejected the bail application of the appellant. The offense is punishable by a maximum term of seven years imprisonment. It does not come within the purview

of a heinous and serious offense.

5. Per contra, learned A.G.A. and learned counsel for respondent no.2 have raised no objection regarding the prayer for bail made on behalf of the appellant.

6. Considering the rival submissions made by learned counsel for the parties and the payment of Rs 53,000/- through a demand draft on behalf of the appellant to the complainant and the totality of facts and circumstances of the case, and without expressing any opinion on the merits of the case, in my considered opinion, a case for bail is made out.

7. In view of above, appeal is **allowed** and the order dated 08.09.2025 passed by the learned Special Judge (S.C./ S.T. Act) Sitapur in Bail Application No.288/2025, CIS No. 2636/2025 arising out of Case Crime No. 0107/2025, under Sections 419, 420, 504, 506 IPC & Section 3 (1) (Da) (Dha) of S.C./S.T. Act, at Police Station Rampurkala, District-Sitapur is **set aside**.

8. Let the appellant **Deshraj** involved in the aforementioned case crime be released on bail, on his furnishing a personal bond and two sureties each in the like amount, to the satisfaction of the court concerned, with the following conditions:-

- i. The appellant will not tamper with the evidence.
- ii. The appellant will not indulge in any criminal activity.
- iii. The appellant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.
- iv. The appellant will appear regularly on each and every date

fixed by the trial court unless their personal appearance is exempted through counsel by the court concerned.

December 17, 2025
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(Ram Manohar Narayan Mishra,J.)