Court No. - 40

Case :- CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438 CR.P.C. No. - 8134 of 2020

Applicant :- Raju Rai
Opposite Party :- State of U.P. and Another
Counsel for Applicant :- Ruchita Jain
Counsel for Opposite Party :- G.A.

Hon'ble Anil Kumar-IX,J.

Heard Ms. Ruchita Jain, learned counsel for the applicant and learned A.G.A. for the State and perused the record.

Learned counsel for the applicant submitted that applicant is innocent and has been falsely implicated in this case for being a father of the co-accused Umang Rai. There is no specific role assigned to the applicant. There is apprehension of his imminent arrest by the Police at any time. Applicant has no criminal antecedents. In case, the applicant is released on anticipatory bail he will not misuse the liberty of bail.

Learned A.G.A. opposed the prayer for anticipatory bail but could not dispute the fact that there is no other reported criminal antecedents against the applicant.

Considering the submission of learned counsel for the parties, facts of the case, nature and gravity of accusation, without expressing any opinion on the merits of the case, the Court is of the view that it is a fit case for bail. Hence, the anticipatory bail application is hereby allowed.

In the event of arrest of the applicant- **Raju Rai** in Case Crime No. 429 of 2020, under Sections 354(A), 323, 452, 504, 506 I.P.C., P.S.-Kotwali, District-Jhansi shall be released on anticipatory bail till the submission of police report, if any, under Section 173 (2) Cr.P.C. before the competent court on their furnishing a personal bond of Rs. 25,000/- with two sureties each in the like amount to the satisfaction of Station House Officer of the police station concerned, subject to following conditions:-

(i) The applicant shall make himself available for interrogation by a police officer as and when required.

(ii) 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 office.

(iii) The applicant shall not leave India with the previous permission of the Court and if he has passport the same shall be deposited by him before the S.S.P./S.P. concerned.

(iv) The party shall file computer generated copy of such order downloaded from the official website of High Court Allahabad.

In default of any of the conditions, the Investigating Officer is at liberty to file appropriate application for cancellation of anticipatory bail granted to the applicant.

The applicant is directed to produce a computer generated copy of this order downloaded from the official website of Allahabad High Court, before the S.S.P./S.P. concerned within ten days from today, who shall ensure the compliance of present order. The concerned authority shall also verify the authenticity of such computerized copy of the order from the official website of High Court Allahabad and shall make a declaration of such verification in writing.

Order Date :- 18.12.2020
Rahul.