

Court No. - 72

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 47587 of 2023

Applicant :- Charan Raj

Opposite Party :- State of U.P.

Counsel for Applicant :- Jai Prakash Singh, Raj Kiran Chaudhary

Counsel for Opposite Party :- G.A.

Hon'ble Krishan Pahal, J.

1. List has been revised.
2. Heard Sri Raj Kiran Chaudhary, learned counsel for the applicant, Ms. Ifrah Islam, learned A.G.A. for the State and perused the material placed on record.
3. By means of the present bail application, the applicant seeks bail in Case Crime No.229 of 2023, under Section 3(1) of U.P. Gangster and Anti-Social Activities (Prevention) Act, 1986, Police Station- Sagra, District- Varanasi, during the pendency of trial.
4. It is argued by the learned counsel for the applicant that the prosecution under the Gangsters Act have been launched against the applicant on the basis of two criminal cases shown in the gang chart in which he has already been enlarged on bail by the court concerned. The details of criminal cases have been mentioned in paragraph-5 to the affidavit accompanying the bail application. He has been falsely implicated in the present case due to police rivalry. He is not the member of any gang. It is further stated that there is no other criminal history of the applicant. The applicant is languishing in jail since 24.8.2023. In case, the applicant is released on bail, he will not misuse the liberty of bail.
5. On the other hand, learned AGA opposed the prayer for bail.
6. Without expressing any opinion on the merits, the bail application is allowed. Let the applicant- **Charan Raj**, involved in aforementioned case 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 that :-

- i. The applicant shall not tamper with the prosecution evidence by

- intimidating/ pressurizing the witnesses, during the investigation or trial.
- ii. The applicant shall cooperate in the trial sincerely without seeking any adjournment.
 - iii. The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.

7. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail. Identity, status and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted.

Order Date :- 7.11.2023

Vikas

[Krishan Pahal, J.]