

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 2051 of 2022

Applicant :- Ram Kishor Maurya

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

Counsel for Applicant :- Punit Kumar Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Krishan Pahal,J.

Heard Sri Punit Kumar Shukla, learned counsel for the applicant and Smt. Mamta Pandey, learned A.G.A. for the State and also perused the material available on record.

By means of the present bail application, the applicant seeks bail in Case Crime No. 456 of 2021, under Sections 2B(1)/3 of U.P. Gangster and Anti-Social Activities (Prevention) Act, 1986, Police Station Mishrikh, District Sitapur, during the pendency of trial.

It is argued by the learned counsel for the applicant that the prosecution under the Gangsters Act has 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. Apart from the cases mentioned in the gang chart, the applicant has been implicated in eight other cases which has been explained in the supplementary affidavit. The applicant has been falsely implicated in the present case due to police rivalry. He is not a member of any gang. The applicant is languishing in jail since 27.11.2021 and in case, he is enlarged on bail, he will not misuse the liberty of bail.

On the other hand, learned AGA opposed the prayer for bail.

Without expressing any opinion on the merits, the bail application is allowed. Let the applicant- Ram Kishor Maurya, who is involved in aforesaid 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 that :-

1. The applicant shall not tamper with the prosecution evidence by intimidating/ pressurizing the witnesses, during the investigation or trial.
2. The applicant shall cooperate in the trial sincerely without seeking any adjournment.
3. The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.

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 :- 7.7.2022

Siddhant