

**Court No. - 88**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 22121 of 2021

**Applicant :-** Ram Chandra

**Opposite Party :-** State of U.P.

**Counsel for Applicant :-** Aklank Kumar Jain

**Counsel for Opposite Party :-** G.A.

**Hon'ble Arvind Kumar Mishra-I,J.**

Heard learned counsel for the applicant as well as learned A.G.A. for the State of U.P and perused the material available on record.

Applicant claims to have been falsely implicated in this case on account of several reasons; prime being that the husband of the victim/informant was sharing business partnership with the applicant and the applicant is the stockist, whereas the husband of the victim is a vender, who sells shoes and slippers etc. It so happened that some money was to be given to the applicant and an evil eye prevailed and with a view to coerce the situation, a manipulated story was concocted and the applicant was falsely implicated in this case. There was no occasion for committing any rape as such. Even the medical report does not substantiate any such claim as no mark of injury has been noted. The victim is a married lady of 27 years and having three children in all. In case, the applicant is admitted to bail, there is no possibility of his absconding or misusing the liberty of bail. The applicant has no criminal history and is languishing in jail since 21.03.2021.

Learned A.G.A. has opposed prayer for bail.

Without entering into merit of the case but considering the facts and circumstances of the case, nature of accusation and the severity of punishment in case of conviction and the nature of supporting evidence, reasonable apprehension of tampering with witness or apprehension of threat to the complainant and prima facie satisfaction of the Court in support of the charge, the applicant is entitled to be released on bail.

Accordingly, bail application is allowed.

Let the applicant - **Ram Chandra** involved in F.I.R. No. 0071 of 2021, under Sections - 452 and 376 I.P.C., Police Station - Raya, District - Mathura be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of the court concerned subject to the

following conditions:

1. The applicant will not tamper with the evidence.
2. The applicant will not indulge in any criminal activity.
3. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.
4. The applicant will appear regularly on each and every date fixed by the trial court unless his personal appearance is exempted through counsel by the court concerned.
5. The party shall file computer generated copy of such order downloaded from the official website of High Court, Allahabad.
6. The computer generated copy of such order shall be self attested by counsel of the party concerned.
7. The concerned Court/ Authority/ Official shall 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.

In the event of breach of any of the aforesaid conditions, the court below will be at liberty to proceed to cancel his bail.

**Order Date :- 9.6.2021**

S Rawat