

In Chamber

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 6051 of 2020

Applicant :- Ram Babu Kushwaha

Opposite Party :- State of U.P.

Counsel for Applicant :- Harish Chandra Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Ajit Kumar,J.

Heard Sri Rupak Chaubey, learned A.G.A. for the State through video conferencing and perused the records.

This bail application has been taken up during lock-down period as an urgent one.

The applicant is seeking bail in connection with Case Crime No.- 03 of 2020, under Section 10 of Uttar Pradesh Control of Goondas Act, 1970, Police Station- Manikpur, District- Chitrakoot.

The allegation against the applicant is that he has violated the externment order under Section 10 of the Goondas Act and therefore, case has come to be registered against him. There is a criminal history of which a chart has been annexed along with the counter affidavit filed by State and the entire criminal history has come to be explained in the affidavit filed in support of bail application except the criminal history of case crime no. 78 of 2014 under Section 379, 356, 411 IPC, P.S. Manikpur, District Chitrakoot.

It has been pleaded in the affidavit filed in support of the bail application that the applicant has been falsely implicated in the present case and that too quite routinely and casually sans any intrinsic material evidence. It has been further pleaded that the applicant is languishing in jail since 05.01.2020.

In view of overall facts and circumstance of the case, the Court is of the opinion that the applicant is entitled to be admitted to bail.

Accordingly, applicant, namely, Ram Babu Kushwaha is admitted to bail and considering the special circumstances of the lock-down prevailing in the district concerned presently and in the light of the directions of this Court in P.I.L. No. 564 of 2020 dated 06.04.2020, let the applicant Ram Babu Kushwaha be enlarged on bail in the aforesaid case crime number on his furnishing a personal bond only to the satisfaction of the jail authorities, where the applicant is languishing.

It is further provided that this bail order available on the official website of the High Court will be taken to be the authentic one.

However, it is further directed that within a period of four weeks from the date of lifting of the complete lock-down in the District concerned resulting in resumption of normal functioning of the Courts in that district, the applicant shall furnish two sureties each of the like amount to the satisfaction of the court concerned alongwith certified copy of this order, failing which the bail granted by this court shall stand cancelled necessitating surrender of the applicant.

It is further directed that the applicant shall not misuse the liberty of bail and shall cooperate with the police/ investigating agency / trial, as the case may be.

Office of the Government Advocate is directed to forthwith inform about this order to the S.P./ S.S.P. of the district concerned for necessary information to the jail authority where the applicant is languishing.

The bail application, accordingly, stands **disposed of**.

Order Date :- 30.5.2020

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