

Court No. - 84

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 43660 of 2024

Applicant :- Raju Yadav

Opposite Party :- State of U.P.

Counsel for Applicant :- Arvind Prabodh Dubey

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Supplementary affidavit filed today by learned counsel for the applicant, is taken on record.
2. Heard Sri Arvind Prabodh Dubey, the learned counsel for the applicant, Sri Amrit Raj Chaurasia, learned A.G.A. for the State and perused the records.
3. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 265 of 2024, under Sections 3 (1) of Uttar Pradesh Gangsters and Antisocial Activities (Prevention) Act, 1986, registered at Police Station Ramkola, District Kushinagar.
4. The gang chart mentions involvement of the applicant in thirteen cases, in which he has been granted bail. The applicant is involved in five other cases, in which he has been enlarged on bail. All cases are of similar nature.
5. In the affidavit filed in support of bail application it has been stated that the applicant is innocent and he has been falsely implicated in the present case. It has also been stated in the affidavit filed in support of the bail application that the applicant is neither a leader nor member of any gang.

6. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.

7. Having considered the aforesaid facts and circumstances of the case and the fact that the applicant has been granted bail in all the cases mentioned in the gang chart and in the other cases in which he is involved and that the applicant is languishing in jail since 15.04.2024 and without making any observation, which may affect the merits of the case, I am of the view that the aforesaid facts are sufficient for making out a case for enlargement of the applicant on bail in the aforesaid crime.

8. Accordingly, this bail application stands **allowed**.

9. Let the applicant- Raju Yadav be released on bail in the aforesaid case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of magistrate/court concerned, subject to following conditions:-

- (i) the applicant shall not tamper with the prosecution evidence;
- (ii) the applicant shall not pressurize the prosecution witnesses;
- (iii) the applicant shall appear on each and every date fixed by the trial court, unless his appearance is exempted by the learned trial court.

(Subhash Vidyarthi, J.)

Order Date :- 28.2.2025
Shiraz