

Kalicharan Alias Devesh And Another vs State Of U.P. on 2 January, 2025

Author: Krishan Pahal

Bench: Krishan Pahal

HIGH COURT OF JUDICATURE AT ALLAHABAD

Neutral Citation No. - 2025:AHC:19

Court No. - 65

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 46854 of 2024

Applicant :- Kalicharan Alias Devesh And Another

Opposite Party :- State of U.P.

Counsel for Applicant :- Ajay Kumar Vashistha

Counsel for Opposite Party :- G.A.

Hon'ble Krishan Pahal, J.

1- lwph dks nksejk iqdkjk x;kA 2- vkosndksa ds vf/koDrk ,oa jkT; fof/k vf/kdkjh lqJh b¶jk bLyke ds rdZ lqus rFkk vfHkys[kksa dk voyksdu fd;kA 3- vkosndksa }kjk izFke lwpuk vk[;k la[;k& 95 lu~ 2023 /kkjk& 452] 302 Hkk-n-fo-] iqfyl LVs'ku veuiqj] ftyk dklxat] esa tekur gsrq izkFkZuk&i= izLrqr fd;k gSA 4- vkosndksa ds fo}ku vf/koDrk }kjk ;g rdZ izLrqr fd;k x;k gS fd lg&vfHk;qDr ckSch dks bl U;k;ky; }kjk fofo/k tekur izkFkZuk&i= la[;k 32713 lu 2024 esa ikfjr vius vkns'k fnukid 25-10-2024 ls tekur ij fjk fd;k tk pqdk gSA vkosndksa ds dksbZ vkijkf/kd bfrgkl ugha gSA os fnukid 13-11-2024 ls tsy esa fu#) gaSA 5- vkxs ;g Hkh rdZ izLrqr fd;k x;k gS fd pwafd vkosndksa dh

Hkwfedk lg&vfHk;qDr ds leku gS] ftls igys gh tekur ij fjk fd;k tk pqdk gS] vr% lekurk ds vk/kkj ij izkFkhZ Hkh tekur ikus ds vf/kdkjh gSaA 6- jkT; dh vksj ls tekur dk fojks/k fd;k x;k gS] gkykafd vkosndksa ds lg&vfHk;qDr ls lekurk ds rF;kRed igyw dk fojks/k ugha fd;k x;k gSA 7- bl U;k;ky; }kjk uUgk iq= ukHkk [kki cuke mÜkj izns'k ljdkj 1993 fØfeuy ykW tuZy 938 esa ,oa mPpre U;k;ky; }kjk ikj] jke fcÜuksbZ cuke funs'kd] dsUnzh; vUos'k.k C;wjks MANU/SCOR/22410/2021 rFkk lrsUnj dqekj vafry cuke dsUnzh; tkip C;wjks o vU;] 2022 vkbZ-,u-,l-lh- 690 esa izfrikfnr fl)kUr] izdj.k ds rF;ksa rFkk ifjLFkfr;ksa vkSj xq.k nks"i ij dksbZ vfHker O;Dr u djrs gq, U;k;ky; dh jk; esa vkosnd lekurk ds vk/kkj ij tekur ikus dk vf/kdkjh gSA 8- lekurk ds vk/kkj ij vkosndksa dk tekur izkFkuk&i= Lohdkj fd;k tkrk gSA 9- mijksDr vij/k la[k ds ekeys esa lafyIr vkosnd dkyhpju mQZ nsos'k rFkk use flag dks fuEufyf[kr'krksZa ds v/khu lacaf/kr U;k;ky; dh larqfV ds fy, ,d O;fDrxr ckaM vkSj leku jkf'k ds nks izfrHkw izLrqr djus ij tekur ij fjk fd;k tk,A

(i) vkosnd lk{; ds lkFk NsM+NkM+ ugha djsaxsA

(ii) vkosnd (1) ekeys dks izkjEHk djus] (2) vkjksi r; djus vkSj (3) /kkjk 313 lhvkjihlh ds rgr c;ku ntZ djus ds fy, fu/kkZfjr frfFk;kasa ij] O;fDrxr :i ls] fopkj.k U;k;ky; ds le{k mifLFkr jgasxsA ;fn fopkj.k U;k;ky; dh jk; esa vkosnd dh vuqifLFkfr tkucw>dj ;k i;kZIr dkj.k ds feuk gS] rks ml ds ;g NwV gksxh fd og bl rjg dh pwd dks tekur dh Lora=rk dk nq;i;ksx ekurs gq, muds fo:) dkuwu ds vuqlkj dk;Zokgh djsaA 10- mijksDr'krksZa esa ls fdllh ds mYya?ku ds ekeys esa] ;g tekur jI djus dk vk/kkj gksxkA izfrHkwfr Lohdkj fd;s tkus ls igys vkosndksa vkSj tekurnkjksa dh igpku] fLFkfr vkSj fuokl izek.k lacaf/kr U;k;ky; }kjk lR;kfir fd;k tk,xkA Order Date :- 2.1.2025 Shalini (Justice Krishan Pahal)