

# **Girija Shankar Maurya vs State Of U.P. on 1 April, 2025**

**Author: Ashutosh Srivastava**

**Bench: Ashutosh Srivastava**

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Neutral Citation No. - 2025:AHC:44722

Court No. - 68

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 338 of 2025

Applicant :- Girija Shankar Maurya

Opposite Party :- State of U.P.

Counsel for Applicant :- Chandra Shekhar Kushwaha,Devidayal Tiwari

Counsel for Opposite Party :- Anjali,G.A.,Pramod Kumar Singh

Hon'ble Ashutosh Srivastava,J.

Heard learned counsel for the applicant, Sri S. K. Rai, learned AGA for the State-Respondent and perused the record.

This bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 has been moved on behalf of accused-applicant seeking enlargement on bail in Case Crime No. 237 of 2024, under Sections 3/7/25 of Arms Act, Police Station Doharighat, District Mau.

Learned counsel for the applicant argued that the accused-applicant is innocent and has been falsely implicated in this case crime number. Learned counsel for the applicant submits that the applicant runs a shop of seed and the Police has caught him from the shop. He further submits that nothing incriminating material has been recovered from the possession of the applicant. The alleged

recovery has been made from the house of one Ashutosh Maurya and the applicant has no concern with the aforesaid crime. There is no independent witness of the aforesaid alleged crime. The applicant is languishing in jail since 01.12.2024. The applicant has no criminal antecedent and there is no likelihood of his fleeing from course of justice or tampering with evidence in case of release on bail. Hence, the bail has been prayed for.

Learned AGA has vehemently opposed, but could not dispute the fact that applicant has no criminal antecedents.

Considering all those facts and circumstances, the nature of accusations, severity of the punishment in the case of conviction and nature of supporting evidence, reasonable apprehension of tampering with the witness and prima-facie case, but without commenting on merit of case, a case for bail is made out.

Accordingly, the bail application is allowed.

Let the accused-applicant, Girija Shankar Maurya, involved in above mentioned case crime number be released on bail, on his executing a personal bond and two reliable 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.

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 :- 1.4.2025 pks