

# PROFORMA FOR FRESH FILING

- Category Single Judge Division Bench Larger Bench
- Cognizable by A Bench
- District Durgam Cheruvu
- Petitioner/Appellant/Applicant  
Age 32 Gender Male  
E-mail: shukla.shashidhar@gmail.com
- Respondent  
Age 45 Gender Male Mobile 9848123456  
E-mail: shukla.shashidhar@gmail.com
- Petitioner's Advocate Name & Roll No. Shukla Shashidhar A.P. 5-12/2019
- Respondent's Advocate Name & Roll No. A. G. P.
- Notice No. (If any) 157/2019
- Court Fee Paid 157/2019
- No. of Affidavits attached 157/2019
- CRIME DETAILS (If Any)**
- Crime No. & Year 157/2019
- Under Section 157/2019
- Police Station & Crime District 157/2019
- LOWER COURT / HIGH COURT DETAILS (If Any)**
- Lower / High Court Case No. details 157/2019
- Lower / High Court under date 157/2019
- Lower / High Court order passed by 157/2019
- EXTRA PARTIES & ADVOCATES (Add Additional Sheet if Required)**
- Extra Parties (Petitioner) (Mobile-mail) 157/2019
- Extra Parties (Respondent) (Mobile-mail) 157/2019
- Extra Advocate (Pet) (With Roll No. 157/2019
- Extra Advocate (Res) (With Roll No. 157/2019
- ACTS & SECTION (Mandatory)**
- Title of Act involved (Center/State) 157/2019
- Section 157/2019
- Title of Rule involved (Center/State) 157/2019
- (i) Vires of Act/Rule challenged (Yes/No) Act 157/2019  
Rule 157/2019
- (ii) Particulars of cases involving similar / identical challenge 157/2019
- Remarks (If any) 157/2019

For Stamp Reporter Office use only

CNR No. (Unique ID) .....

Date of Reporting .....

Reporter .....

Advocate's name & Signature

SHUKLA  
SHASHIDHAR

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# IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

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## INDEX IN

CRIMINAL MISC. FIRST BAIL APPLICATION NO. OF 2020  
(Under Section 439 of Cr.P.C.)

**DISTRICT : ALLAHABAD**

Munga Pandey

----- Applicant  
(In Jail since 09.08.2019)

VERSUS

State of U.P.

----- Opp. Party

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Dated: \_\_/06/2019

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Date: 2020.06.09 07:25:00  
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(SHASHI DHAR SHUKLA)

Advocate

Advocate Roll No.A/3 0745/2014

Enr. No. UP-4743/2011

Counsel for the Applicant

Chamber No. 67 A, New Building

High Court, Allahabad

Mobile No. 9454510811

IN THIS HIGH COURT OF JUDICATURE AT ALLAHABAD

\*\*\*\*\*

**CRIMINAL MISC. EXEMPTION APPLICATION NO. OF 2020**  
**(Under Chapter XVII Rule (i) of High Court Rules)**

**On behalf of**

Mangal Pandey

--- Applicant

**IN**

**CRIMINAL MISC. FIRST BAIL APPLICATION NO. OF 2020**  
**(Under Section 409 of Cr.P.C.)**

**DISTRICT : ALLAHABAD**

Mangal Pandey, Son of Late Rajesh Pandey,

Resident of Village- Semra Chigan,

Police Station- Katwari, District- Basti.

----- Applicant

State of U.P.

----- Opp. Party

To,

The Hon'ble the Chief Justice and his other  
 Companion Judges of the aforesaid Court.

The humble petition of the above named petitioner  
 Most Respectfully sheweth as under:-

1. That the applicant is filing Bail Application in Case  
 Crime No.157 of 2019, Under Section 302, 307,  
 20B, 147 I.P.C, Police Station- Jhansi, District-  
 Allahabad.
2. That the applicant tries to collect the certified copy of  
 the first information report and free copy of bail

rejection order, but due to Covid-19 Emergency Lockdown he could not collect the same.

3. That in view of the facts and circumstances of the case, it is expedient in the interest of justice that this Hon'ble Court may kindly be pleased to exempt the certified copy of the first information report and free copy of bail rejection order, otherwise the applicant shall suffer irreparable loss and injury.

**PRAYER**

It is therefore most respectfully prayed that this Hon'ble court may graciously be pleased to exempt the certified copy of the first information report and free copy of bail rejection order, otherwise the applicant shall suffer irreparable loss and injury.

Date: \_\_/06/2019

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Date: 2020.06.09 07:25:25  
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**(SHASHI DHAR SHUKLA)**

Advocate

Advocate Roll No. 4/3 27-6/2014

Encl. No. LP 4743/2011

Counsel for the Applicant.

Chamber No. 67-A, New Building

High Court, Allahabad

Mobile No. 9684510811

Case Crime No. 157 of 2019,  
Under Section 302, 307, 120B,  
147 I.P.C. Police Station-  
Jhansi, District- Allahabad

**IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD**

\*\*\*\*\*

**CRIMINAL MISC. FIRST BAIL APPLICATION NO.                      OF 2020**  
**[Under Section 439 of Cr.P.C.]**

**DISTRICT : ALLAHABAD**

Mangal Pandey, Son of Late Rajesh Pandey,  
 Resident of Village - Senra Chigan.  
 Police Station- Kalwari, District- Basti.

----- *Applicant*

(In Jail since 09.08.2019)

State of U.P.

versus :

----- *Opp. Party*

To.

The Hon'ble the Chief Justice and His other  
 Companion Judges of the aforesaid Court.

The humble application of the above named  
 applicant. Most Respectfully Sheweth as under:

1. That the full facts and circumstances of the case  
 have been given in the accompanying affidavit  
 which is the part of this application.
2. That in view of the facts and circumstances of the  
 case, it is expedient in the interest of justice that  
 this Hon'ble Court may kindly be pleased to release

the applicant on bail in Case Crime No.157 of 2019, Under Section 302, 307, 120B, 147 I.P.C. Police Station- Jhunnai, District- Allahabad, during the pendency of trial before court below, otherwise the applicant shall suffer irreparable loss and injury.

**PRAYER**

It is, therefore, Most Respectfully prayed that this Honble Court may kindly be pleased to release the applicant on bail in Case Crime No.157 of 2019, Under Section 302, 307, 120B, 147 I.P.C. Police Station- Jhunnai, District- Allahabad, during the pendency of trial before court below, otherwise the applicant shall suffer irreparable loss and injury.

Date: \_\_\_/\_\_\_/2020

**SHUKLA  
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SHASHIDHAR  
Date: 2020.06.09 07:25:54  
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**(SHASHI DHAR SHUKLA)**

**Advocate**

Advocate Regl No.A/8-2/46/2014

Enrl. No. UP 1710/2011

Mobile No. 9454510811

Counsel for the Applicant

Chamber No. 57 A, New Building,  
High Court, Allahabad

**IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD**

\*\*\*\*\*

**AFFIDAVIT**

**IN**

**CRIMINAL MISC. FIRST BAIL APPLICATION NO.                      OF 2020**  
**[Under Section 439 of Cr.P.C.]**

**DISTRICT : ALLAHABAD**

**Mangal Pandey**

**----- Applicant**

**[In Jail since 09.08.2019]**

**Verus**

**State of U.P.**

**----- Opp. Party**

Affidavit of Dimpal, aged about 49 years,  
Wife of Rajesh, Resident of House No.42,  
Muhalla Santanueegan, District Buxi  
Religion - Hindu  
Occupation - Housewife  
Aadhar No. 4959 8730 0007  
Mobile No.9454537753

**(DEPONENT)**

I, the deponent above named, do hereby solemnly  
affirm and state on oath as under: -

1. That the deponent is the mother of the applicant  
and she is doing the pairvi in the abovenoted case  
and as such she is well acquainted with the facts  
of the case deposed to below.

2. That this is first bail application of the applicant in this Hon'ble Court and no other bail application is pending on similar facts.
3. That the applicant is in custody in connection with case crime no.157 of 2019, under Section 302, 307 I.P.C., Police Station Jhansi, District-Prayagraj with an incident alleged to have taken place on 12.02.2019 at 9.30 a.m., regarding which a first information report purports to have been lodged on 12.02.2019 at 14.23 p.m. in the aforesaid police station by Rajesh Kumar Yadav.
4. That the prosecution version shall appear from the certified copy and the true copy of the first information report dated 12.02.2019. A true copy of the First Information Report dated 12.02.2019 is being filed herewith and marked as **ANNEXURE NO.1** to this Affidavit.
5. That the applicant applied for bail the court below vide Bail Application No.1039 of 2020. 'Mangal Pandey Vs. State of UP' and the same has been rejected vide order dated 13.03.2020 passed by Session Judge, Allahabad. A copy of the Bail Rejection Order dated 13.03.2020 is being filed



herewith and marked as **ANNEXURE NO.2** to this Affidavit.

6. That the applicant is not named in the first information report.
7. That the first information report of the alleged incident was lodged against the unknown two persons.
8. That in the First Information Report has been mentioned that on 12.02 2019 at 9.00 a.m. two unknown persons came on motorcycle and shot fire upon the deceased.
9. That name of the applicant came into the light in the confessional statement of co-accused Rakesh Kumar recorded by police on 21.02.2019. A true copy of the statement of co-accused Rakesh Kumar on 21.2.2019 is being filed herewith and marked as **ANNEXURE NO.3** to this Affidavit.
10. That the applicant has no concern with the alleged offence and there is no motive to the applicant to commit the alleged offence.

11. That there is no credible evidence on record to show the involvement of the applicant in the alleged occurrence.
12. That nothing incriminating article has been recovered from the possession of the applicant or on his point out.
13. That the applicant is in jail since 09.08.2019.
14. That the applicant was not present in the place of alleged occurrence.
15. That the co-accused namely Mangala Pasi, Sunil Yadav, Smt. Rajni alias Ranjana Yadav, Smt. Saraswati Yadav, Vibhish Kumar Yadav, Manoj Yadav, Sujat Kumar Yadav and Manoj Kesharwani have already been granted bail by this Hon'ble Court. A photocopy of bail orders of co-accused passed by this Hon'ble Court is being filed herewith and marked as **ANNEXURE NO.4** to this Affidavit.
16. That after investigation the police has been filed charge sheet against the applicant and other persons.

17. That the role of the applicant is not distinguishable with the role of co-accused.
18. That the criminal history of the applicant based on information received by the deponent explain as under:
- (i) Case Crime No. 668 of 2012, under Section 379 and 411 I.P.C., Police Station- Kalwari, District- Basti, in which the applicant has been granted bail.
  - (ii) Case Crime No. 808 of 2013, under section 808 of 2013, under Section 3/4 Arms Act, Police Station Kalwari, District Basti, in which the applicant has been granted bail.
  - (iii) Case Crime No. 909 of 2013, under Section 307, 323, 504, 506 I.P.C. and 3(2)(v) SC/ST Act, Police Station- Kalwari, District- Basti, in which the applicant has been granted bail.
  - (iv) Case Crime No. 902 of 2013, under Section 325 Arms Act, Police Station- Kalwari, District- Basti, in which the applicant has been granted bail.

- (v) Case Crime No. 285 of 2013, under Section 323, 504, 506 I.P.C Police Station- Nagar, District- Basti, in which the applicant has been granted bail.
- (vi) Case Crime No. 64 of 2014, under Section 3(1) U.P. Gangster Act, Police Station Kulwari, District- Basti, in which the applicant has been granted bail.
- (vii) Case Crime No. 285 of 2013, under Section 394 I.P.C. Police Station- Nagar, District- Basti, in which the applicant has been granted bail.
- (viii) Case Crime No. 1198 of 2014, under Section 307 I.P.C. and 7 Criminal Law Amendment Act, Police Station- Kulwari, District- Basti, in which the bail is pending before the court below.
- (ix) Case Crime No. 1212 of 2014, under Section 307 I.P.C. and 7 Criminal Law Amendment Act, Police Station Kulwari, District- Basti in which the applicant has been granted bail.
- (x) Case Crime No.1080 of 2014, under Sections 307, 506, 325 I.P.C. and 3(2)(V) SC/ST Act,

Police Station- Kalwar, District- Basti. i.e. the present case is filing before this Hon'ble Court.

19. That no offence whatsoever is made out against the applicant.
20. That the applicant has not committed the aforesaid offence.
21. That the applicant is totally innocent of the charge levelled against him in the present case.
22. That the applicant shall not abscond if granted bail by this Hon'ble Court.
23. That the applicant is ready to furnish the adequate surety to the satisfaction of the court concerned or as directed by this Hon'ble Court if his bail application is allowed by this Hon'ble Court.
24. That in view of the facts and circumstances stated above, it is expedient in the interest of justice that this Hon'ble Court may kindly be pleased to release the applicant on bail in Case Crime No.157 of 2019, Under Section 302, 307, 120B, 147 I.P.C. Police Station- Abusai, District- Allahabad, during the pendency of trial before court below.

I, the deponent above named do hereby solemnly affirm and swear that contents of paragraph Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 of this affidavit are true to my personal knowledge and that those of contents of paragraph nos. 19, 20, 21, 22, 23 of this affidavit are based on records and that those of contents of paragraph nos. 24 of this affidavit are based on legal advice: which all I believe to be true that no part of this affidavit is false and nothing material has been concealed therein.

So help me God.

#### DEPONENT

I, **Shashi Dhar Shukla**, Advocate, High Court, Allahabad, do hereby declare that the person who is making this affidavit and alleging herself to be deponent is the same person. The deponent is known to me from the perusal of papers produced by her before me in the instant case.

SHUKLA

SHASHIDHAR


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SHUKLA SHASHIDHAR  
Date: 2020.06.09 07:26:22  
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#### ADVOCATE

Solemnly affirmed before me on this \_\_\_ day of June, 2020 at .....a.m./p.m. by the deponent who is identified by the aforesaid person.

I have satisfied myself by examining the deponent that she has fully understood the contents of this affidavit, which have been read over and explained to her

#### OATH COMMISSIONER


**DEPARTMENT OF HEALTH AND HUMAN SERVICES**  
**Centers for Disease Control and Prevention**  
 1600 Clifton Road, NE  
 Atlanta, Georgia 30333  
 Telephone: (404) 639-7000  
 Fax: (404) 639-7000

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## IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

\*\*\*\*\*

ANNEXURE NO. 1  
INAFFIDAVIT  
INCRIMINAL MISC. FIRST BAIL APPLICATION NO. OF 2020  
(Under Section 139 of Cr.P.C.)**DISTRICT : ALLAHABAD**

Mangal Pandey

----- *Applicant*

(in Jail since 09.08.2019)

Versus

State of U.P.

----- *Opp. Party*

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ਅੰਤਰਰਾਸ਼ਟਰੀ ਪ੍ਰਤੀਬੱਧਤਾ ਦਿਵਸ

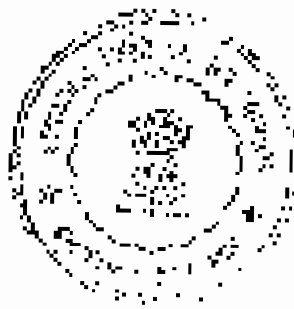
ਮਿਤੀ - 15/12

ਅੰਤਰਰਾਸ਼ਟਰੀ ਪ੍ਰਤੀਬੱਧਤਾ ਦਿਵਸ

ਸਮਾਂ - 9:00 ਘੰਟੇ

ਸਥਾਨ - ਸਕੂਲ

ਅੰਤਰਰਾਸ਼ਟਰੀ ਪ੍ਰਤੀਬੱਧਤਾ ਦਿਵਸ





17

Page No. 17 of 17  
H.K.A. No. 17/2017

(i) Communication (संचारण):

(ii) Phone number (दूरभाषनं):

Mobile number (दूरभाषनं):

(iii) Details of known and suspected persons involved (अज्ञात/संशुद्धित व्यक्ति):

अज्ञात/संशुद्धित व्यक्ति के विवरण (अज्ञात/संशुद्धित):

अज्ञात/संशुद्धित व्यक्ति के विवरण (अज्ञात/संशुद्धित):

अज्ञात/संशुद्धित व्यक्ति	अज्ञात/संशुद्धित व्यक्ति	अज्ञात/संशुद्धित व्यक्ति	अज्ञात/संशुद्धित व्यक्ति
अज्ञात/संशुद्धित व्यक्ति	अज्ञात/संशुद्धित व्यक्ति	अज्ञात/संशुद्धित व्यक्ति	अज्ञात/संशुद्धित व्यक्ति

(iv) Reasons for delay in reporting by the concerned authorities (अज्ञात/संशुद्धित व्यक्ति के विवरण):

(v) Details of persons involved in the case (अज्ञात/संशुद्धित व्यक्ति के विवरण):

(vi) Name of the person who has been arrested (अज्ञात/संशुद्धित व्यक्ति के विवरण):

(vii) Name of the person who has been arrested (अज्ञात/संशुद्धित व्यक्ति के विवरण):

(viii) Name of the person who has been arrested (अज्ञात/संशुद्धित व्यक्ति के विवरण):

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(x) Name of the person who has been arrested (अज्ञात/संशुद्धित व्यक्ति के विवरण):

(xi) Name of the person who has been arrested (अज्ञात/संशुद्धित व्यक्ति के विवरण):

(xii) Name of the person who has been arrested (अज्ञात/संशुद्धित व्यक्ति के विवरण):

(xiii) Name of the person who has been arrested (अज्ञात/संशुद्धित व्यक्ति के विवरण):

(xiv) Name of the person who has been arrested (अज्ञात/संशुद्धित व्यक्ति के विवरण):

(xv) Name of the person who has been arrested (अज्ञात/संशुद्धित व्यक्ति के विवरण):

(xvi) Name of the person who has been arrested (अज्ञात/संशुद्धित व्यक्ति के विवरण):

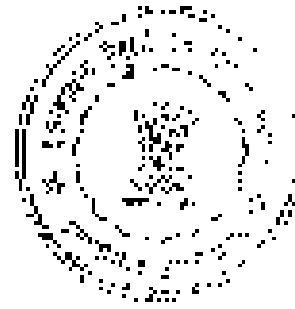
(xvii) Name of the person who has been arrested (अज्ञात/संशुद्धित व्यक्ति के विवरण):

(xviii) Name of the person who has been arrested (अज्ञात/संशुद्धित व्यक्ति के विवरण):

(xix) Name of the person who has been arrested (अज्ञात/संशुद्धित व्यक्ति के विवरण):

(xx) Name of the person who has been arrested (अज्ञात/संशुद्धित व्यक्ति के विवरण):

(xxi) Name of the person who has been arrested (अज्ञात/संशुद्धित व्यक्ति के विवरण):



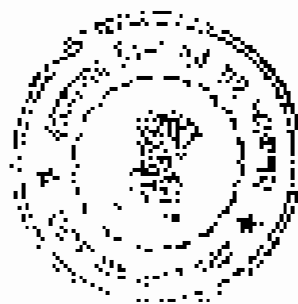
16-

\* संविधान की मूलभूत प्रणाली के अन्तर्गत  
संघीय व्यवस्था का अर्थ है कि देश में एक ही  
सरकार होगी।

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THE UNIVERSITY OF CHICAGO

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 DEPARTMENT OF THE INTERIOR  
 BUREAU OF LAND MANAGEMENT  
 WASHINGTON, D. C. 20090

**सत्य प्रतिनिधिः**

सिमेन्ट प्रो-ग्राम विभाग  
२, 'एन.एच.' राफालपुर, अजमेर।

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

\*\*\*\*\*

ANNEXURE NO. — 2—

IN

AFFIDAVIT

IN

CRIMINAL MISC. FIRST BAIL APPLICATION NO. OF 2020  
(Under Section 439 of Cr.P.C.)

DISTRICT : ALLAHABAD

Mangal Pandey

----- *Applicant*

(In Jail since 09/08/2019)

Versus

State of U.P.

----- *Opp. Party*

\*\*\*\*\*





## IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

\*\*\*\*\*

ANNEXURE NO.

IN

AFFIDAVIT

IN

CRIMINAL MISC. FIRST BAIL APPLICATION NO. \_\_\_\_\_ OF 2020  
(Under Section 439 of Cr.P.C.)DISTRICT : ALLAHABAD

Munshi Pandey

----- *Applicant*

(in Jail since 03.08.2019)

Versus

State of U.P.

----- *Opp. Party*

\*\*\*\*\*



बयान अनियुक्त - बहरेशाणल अभिदु रघुशेस कुमार पुत्र गुलाब सिंह  
 गांधव निवासी शंखडीह पीछरगा झुसी, ब्रह्मराज ठूठने पर जुर्म नवीकार  
 करते हुये बता रहा है कि गांधव में संतोष यादव को गाड़ी चलाना था  
 उनका गुजरने अर्थात् सम्बन्ध है वे सभी लोग जेल में चले गये तो मैं  
 उनका काम में लग गया और जेल पर भी मिलने जाता था बैरा की  
 पहचान था और इस घटना में सम्बन्ध यादव तथा बन्धन की जो हत्या  
 हुई है वह इनका विपक्षी से भिन्नकर उनकी मदद करता था और जमीन  
 खरीद करारखा में हस्तान्तर करता था इस कारण संतोष गांधव राज  
 कुमार ने जेल में बंदी बनाकर रंजना भागो के नागिन से जो शूटरे  
 लेनी तिनारी व मंगल पाण्डेय का अपराध व पिरतल ..... चित्तदा था  
 और संतोष की भारा शस्त्रतो देवी ने अपराधिक ..... में गहरोर  
 किया था इस घटना में रंजनी भागो तथा राहो देवी की मदद में सशस्त्र  
 में दोला मिथिलेश कुमार यादव तथा सुनील यादव, नंजोद चंद, व  
 विनेश कुमार, मंगल पांडेय, गुनील कुमार यादव ने सहयोग किया।  
 राजकुमार यादव और यन्त्र की तरफ में मुख्य अतिरिक्त राहो भागो ने  
 निभाला उन्होंने ही शूटरे को अपराध व चित्तल दिये थे और मेरे दोस्तों  
 ने राजकुमारों ने उनकी मदद की राहल मुझसे मिलती हो गयी घटना के  
 बावजूद बताया कि मैं और मेरे साथियों ने ..... पटेल भगवत् ब्रह्मराज पर  
 ऐसी जलाना और बताया तथा पहचान कराया एवं जाने जाने का समझ  
 व ऊपर मत था था इनके जलाना कुछ कोई जानकारी नहीं है यही मेरा  
 बयान है एवं बयान अनियुक्त जुर्म किया था।

रघुशेस अभिलेखि

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

\*\*\*\*\*

ANNEXURE NO. 1

IN

AFFIDAVIT

IN

CRIMINAL MISC. FIRST BAIL APPLICATION NO. OF 2020

[Under Section 439 of Cr.P.C.]

DISTRICT : ALLAHABAD

Margul Pandey

----- Applicant

(In Jail since 09.06.2019)

Versus

State of U.P.

----- Opp. Party

\*\*\*\*\*

Court No. - 74

**Case :- CRIMINAL MISC. BAIL APPLICATION No. - 17417 of 2019**

**Applicant :- Mangala Pasi**

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

**Counsel for Applicant :- Jai Prakash Singh**

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

**Hon'ble Benchman Lal J.**

Supplementary affidavit filed on behalf of the applicant is taken on record.

Heard learned counsel for the applicant, learned AGA for the State and perused the record.

Learned counsel for the applicant submits that the applicant is not named in the first information report. The first information report of the alleged incident was lodged against unknown. In the F.I.R., it has been mentioned that on 12.2.2019 at 9.00 a.m. two unknown persons came on a motorcycle and fired upon the deceased Ram Dev Yadav due to which he died. This incident was seen by other persons present near the place of occurrence. The name of the applicant came into light in the second statement of informant Rajesh Kumar Yadav. In his statement it has also come that the applicant has also helped the concerned persons in committing murder of the deceased. The allegation of hatching conspiracy has been levelled against the applicant. There is no cogent evidence with regard to conspiracy. The applicant has no concern with the alleged incident. There is no motive to the applicant to commit the alleged offence. There is no credible evidence on record to show the involvement of the applicant in the alleged occurrence. Nothing incriminating article has been recovered from the possession of the applicant or on his pointing out. Criminal history of the applicant has been explained in paragraph no. 15 of the affidavit filed in support of bail application. The applicant is in jail since 27.2.2019.

Perceiving learned AGA opposed the prayer for bail.

Having given my thoughtful consideration to the submissions of the learned counsel for the parties, without expressing any opinion on the merits of the case, I am of the opinion that it is a fit case for bail.

Let the applicant Mangala Pasi involved in Case Crime No. 157

of 2019, under Section 120-B, 147, 307, 302 IPC Police Station Thiruvani District Alaiabad be released on bail on his furnishing a personal bond and two sureties each to the like amount to the satisfaction of the court concerned with the following conditions;

1. The applicant will not tamper with the evidences.
2. The applicant will not pressurize/influence the prosecution witnesses and he will cooperate with the trial.
3. The applicant will appear on each and every date fixed by the trial court unless personal appearance is exempted by the court concerned.

In case of breach of any conditions mentioned above, the trial court shall be at liberty to cancel the bail of the applicant.

**Order Date :- 14.5.2018**

**Cas**

Court No. - 74

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 20803 of 2019

**Applicant :- Sunil Yadav**

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

**Counsel for Applicant :- Praduman Tiwari**

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

**Hon'ble Benchcho Lal J.**

Heard learned counsel for the applicant, learned AGA and perused the record.

Learned counsel for the applicant submits that the applicant is not named in the first information report. The first information report of the alleged incident has been lodged by Rajesh Kumar Yadav on 12.2.2019 at 1422 hours against unknown. In the first information report, it has been mentioned that the deceased was a driver in Electricity Department. On 12.2.2019 he was going to the residence of Sub Divisional Officer by a motorcycle. When he reached at Patel Nagar Chauraha near a tea stall at 9.30 a.m., two unknown persons came on a motorcycle and shot fire upon the deceased. The name of applicant came into light in the confessional statement of co-accused Rakesh Kumar. In the statement of Rakesh Kumar it has come that the applicant has helped in the alleged incident. The allegation of hatching conspiracy has been levelled against the applicant. There is no cogent evidence with regard to conspiracy against the applicant except the confessional statement of co-accused. The applicant is a student of B.A. 1 year and on the date of alleged incident he had gone to Lucknow to appear in an examination conducted by the Staff Selection Commission. He was not present at the place of alleged offence and he has no concern with the alleged incident. The applicant has been falsely implicated in this case and is languishing in jail since 19.2.2019.

Per contra, learned AGA opposed the prayer for bail.

Having given my thoughtful consideration to the submissions of the learned counsel for the parties, without expressing any opinion on the merits of the case, I am of the opinion that it is a fit case for bail.

Let the applicant Sunil Yadav involved in Case Crime No.157 of 2019, under Sections 120-B, 307, 302 IPC Police Station Ilahusi District Alahabad be released on bail on his furnishing a personal bond and two sureties each in the like amount to the

satisfaction of the court concerned with the following conditions.

1. The applicant will not tamper with the evidences.
2. The applicant will not pressurize/intimidate the prosecution witnesses and he will cooperate with the trial.
3. The applicant will appear in court and every date fixed by the trial court unless personal appearance is exempted by the court concerned.

In case of breach of any conditions mentioned above, the trial court shall be at liberty to cancel the bail of the applicant.

**Order Date :- 15.5.2019**

CS5

Court No. - 51

Case :- PUNJABI MISC. HA. APPLICATION No. - 22077 of 2019

Applicant :- Mrs. Rajni alias Sargana Yadav

Opposite Party :- State O.L.B.

Counsel for Applicant :- Dashrath Lal

Counsel for Opposite Party :- G.A.

Hon'ble Dashrath Lal, J.

Supplementary affidavit filed on behalf of the applicant is taken on record.

Heard learned counsel for the applicant, learned AGA for the State and perused the record.

Learned counsel for the applicant submits that the applicant is not named in the first information report. The first information report of the alleged incident was lodged against unknown. In the F.I.R., it has been mentioned that on 12.2.2019 at 9.30 a.m. an unknown person came on a motorcycle and fired upon the deceased Raji Devi Yadav due to which he died. This incident was seen by other persons present near the place of occurrence. The name of the applicant is not in light of the second statement of informant Rajesh Kumar Yadav. In his statement it has also come that the applicant has provided the money, country made pistol and cartridge to the other co-accused persons for committing murder of the deceased. It has further been submitted that the false allegation has been made against the applicant. The allegation of hatching conspiracy has been levelled against the applicant. There is no cogent evidence with regard to conspiracy against the applicant. In fact, the applicant has no concern with the alleged incident. There is no credible evidence on record to show that the applicant has provided the money and weapons to other co-accused persons. Nothing incriminating article has been recovered from the possession of the applicant or on her pointing out. It has further been submitted that co-accused Mangala Devi and Sanil Yadav against whom the allegation of hatching conspiracy has been levelled have already been charged on bail by this Court vide orders dated 14.5.2019 and 15.5.2019 in criminal Misc. Bail Application Nos. 17417 of 2019 and 20303 of 2019 respectively, therefore the applicant is also entitled for bail. The applicant is a lady. Criminal history of the applicant has been explained in paragraph nos. 37 and 39 of the affidavit filed in support of bail application. The applicant is in jail since 5.4.2019.

Per contra, learned AGA opposed the prayer for bail.

Having given my thoughtful consideration to the submissions of the learned counsel for the parties, without expressing any opinion on the merits of the case, I am of the opinion that it is a fit case for bail.

Let the applicant **Smt. Rajni Alias Kanjani Yadav** involved in Case Crim. No. 157 of 2019, under Section 120-B, 147, 307, 302 IPC Police Station Mansi District Allahabad be released on bail on her furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions;

1. The applicant will not tamper with the evidence.
2. The applicant will not pressurize/intimidate the prosecution witnesses and she will cooperate with the trial.
3. The applicant will appear on each and every date fixed by the trial court unless personal appearance is exempted by the court concerned.

In case of breach of any conditions mentioned above, the trial court shall be at liberty to cancel the bail of the applicant.

Order Date :- 23.11.2019  
A.



S Court No. - 74

Case : CRIMINAL MISC. BAIL APPLICATION No. - 21836 of 2019

Applicant :- Smt. Sureswari Devi

Opposite Party :- State Of U.P.

Counsel for Applicant :- Tanu Sagar Yadav/Sanjay Srivastava

Counsel for Opposite Party :- U.A.

Honble Justice L.L.L.

Supplementary affidavit filed on behalf of the applicant is taken on record.

Learned counsel for the applicant learned AGA for the State and perused the record.

Learned counsel for the applicant submits that the applicant is not named in the first information report. The first information report of the alleged incident was lodged against unknown. In the F.I.R., it has been mentioned that on 12.2.2019 at 9.30 am, two unknown persons came on a motorcycle and fired upon the deceased Raj Deo Yadav due to which he died. This incident was seen by other persons present near the place of occurrence. The name of the applicant came into light in the second statement of informant Rajesh Kumar Yadav. The allegation of hatching conspiracy has been levelled against the applicant. In fact the applicant has no concern with the alleged incident. The applicant is an old lady aged about 65 years. There is no cogent evidence with regard to the conspiracy and there is no credible evidence to connect the applicant with the alleged offence. Nothing incriminating article has been recovered from the possession of the applicant or on her pointing out. The applicant has falsely been implicated in the present case. It has further been submitted that co-accused Smt. Rajni @ Ranjana Yadav having identical role has already been enlarged on bail by this Court vide orders dated 27.5.2019 in criminal Misc. Bail Application No. 22077 of 2019. The effort the applicant is also entitled for bail on the ground of parity. The Criminal history of the applicant has been explained in paragraph no. 12 of the affidavit filed in support of bail application. The applicant is in jail since 12.4.2019.

Per contra, learned AGA opposed the prayer for bail but could not dispute the fact that co-accused Smt. Rajni @ Ranjana Yadav having identical role has already been enlarged on bail.

Having given my thoughtful consideration to the submissions of the learned counsel for the parties, without expressing any opinion on the merits of the case, I am of the opinion that it is a

in case for bail.

I.e. the applicant, **Smt. Saraswati Devi** involved in Case Crime No. 157 of 2019, under Section 120-B, 147, 307, 302 II-C Police Station Jhansi District Allahabad be released on bail on her furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:

1. The applicant will not tamper with the evidences.
2. The applicant will not pressurize/ intimidate the prosecution witnesses and she will cooperate with the trial.
3. The applicant will appear in court on every date fixed by the trial court unless personal appearance is exempted by the court concerned.

In case of breach of any conditions mentioned above, the trial court shall be at liberty to cancel the bail of the applicant.

Order Date :- 31.5.2019

A.

Court No. 44

Case : CRIMINAL MISC. BAIL APPLICATION No. - 25313 of 2019

Applicant :- Mr. Jesh Kumar Yadav

Opposite Party :- State Of U.P.

Counsel for Applicant :- Desai & Lal

Counsel for Opposite Party :- S.A.

Hon ble Om Prakash VTLJ

Hon'ble learned counsel for the applicant, learned A.G.A. and Devised the matter

It is submitted by learned counsel for the applicant that co-accused Sant. Sarvesh Chandra Doshi, Sant. Yadav and Sant. Rajni Alias Ramesh Yadav have been granted bail by this Court vide orders dated 18.02.2019, 29.03.2019 and 31.05.2019 passed in Criminal Misc. Pet. 4 collection Nos. 21825 of 2019, 26206 of 2019 and 24979 of 2019. He further submits that since the role of the applicant is not distinguishable with the role of co-accused. Therefore, the applicant is also entitled for bail. It is further submitted that criminal cases shown against the applicant as criminal history were placed against him after his arrest in this matter and the same have been excluded in the affidavit accompanying the bail application. It is further submitted that the applicant has no previous criminal history. He is languishing in jail since 11.02.2019.

On the other hand, learned A.G.A. opposed the prayer for bail.

Keeping in view the nature of the offence, evidence, complicity of the accused, submission of the learned counsel for the parties, the fact that co-accused have already been released on bail by this Court and without expressing any opinion on the merits of the case, the Court is of the view that, the applicant has a strong case for bail. The bail application is allowed.

For the applicant, Mr. Jesh Kumar Yadav involved in Case Order No. 1 of 2019, under Sections 302, 303, 124-B, 147 I.R.C., U.S. Chinski Disha or Prayagraj (Akhandaal) be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions. Further, before issuing the release order, the sureties be verified.

(i) The applicant will not tamper with the evidence during the trial.

(ii) The applicant will not pressurize/interfere the prosecution witness.

(iii) The applicant will appear before the trial court on the date fixed, unless permanent presence is exempted.

(iv) The applicant shall not commit an offence similar to the offence of which he is accused, or suspected, at the conclusion of which he is suspected.

(v) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or officer with the evidence.

In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

Order Date :- 25.6.2019

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Court No. - 43

Case : CRIMINAL MISC. BAILEY APPLICATION No. 25217 of 2019

Applicant :- Manjee Yadav

Opposite Party :- State Of U.P.

Counsel for Applicant :- Dushyant Singh

Counsel for Opposite Party :- G.A.

Hon'ble Jm. Prakash Mishra

Hon'ble learned counsel for the applicant, learned A.G.A. and perused the record.

It is submitted by learned counsel for the applicant that co-accused Smt. Sureswat Devi, Smt. Yadav and Smt. Rajni Adia Ranjana Yadav have been granted bail by this Court in its orders dated 15.05.2019, 27.06.2019 and 01.08.2019 passed in Criminal Misc. Bail Application Nos. 21926 of 2019, 20900 of 2019 and 22677 of 2019. He further submits that since the role of the applicant is not distinguishable with the role of co-accused, therefore, the applicant is also entitled for bail. It is further submitted that applicant has no previous criminal history. He is impounding in jail since 21.02.2019.

On the other hand, learned AGA opposed the prayer for bail.

Keeping in view the nature of the offence, complicity of the accused, submissions of the learned counsel for the parties, the fact that co-accused have already been released on bail by this Court and without expressing any opinion on the merits of the case, the Court is of the view that the applicant has made out a case for bail. The bail application is allowed.

In the criminal case Manjee Yadav involved in Case/Crime No. 157 of 2015, under Sections 302, 303, 120 B, 143 I.E.C., E.S. Jhansi District Prayagra. (Allahabad) be released on bail on his furnishing a personal bond and two sureties each in the like amount on the satisfaction of the court concerned subject to following conditions. Doubtless, before issuing the release order, the sureties be verified.

(i) The applicant will not tamper with the evidence during the trial.

(ii) The applicant will not pressurize/influence the prosecution witnesses.

(iii) The applicant will appear before the trial court on the date fixed. Unexcused personal presence is compulsory.

(iv) The applicant shall not commit any offence similar to the offence of which he is accused, or suspected, at the commission of which he is suspected.

(v) The applicant shall not directly or indirectly make any inducement, threat or promise to any person associated with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

Order/Dated :- 21.05.2019

at

Court No. - 44

Case :- CRIMINAL MISD. BAIL APPLICATION No. - 2522 of 2019

Applicant :- S. Jeeb Kumar Yadav

Opposite Party :- State Of U.P.

Counsel for Applicant :- Ashish K.

Counsel for Opposite Party :- G.A.

Hon'ble Mr. Prakash-VII.

I read learned counsel for the applicant, learned A.G.A. and perused the record.

It is submitted by learned counsel for the applicant that co-accused Smt. Sureswat Devi, Smt. Yadav and Smt. Rajni Alias Ranjana Yadav have been granted bail by this Court vide orders dated 1.01.2019, 27.03.2019 and 31.03.2019 passed in Criminal Misc. Bail Application Nos. 21326 of 2019, 20384 of 2019 and 22077 of 2019. He further submits that since the case of the applicant is not distinguishable with the role of co-accused, therefore, the applicant is also entitled for bail. It is further submitted that applicant has no previous criminal history. He is lying in jail since 21.02.2019.

On the other hand, learned A.G.A. opposed the prayer for bail.

Keeping in view the nature of the offence, evidence, complicity of the accused, submissions of the learned counsel for the parties, the fact that co-accused have already been released on bail by this Court and without expressing any opinion on the merits of the case, the Court is of the view that the applicant has made out a case for bail. The bail application is allowed.

In the applicant's case Kumar Yadav involved in Case Crime No 157 of 2019, under Sections 304, 307, 120-B, 147 IPC, P.S. Thana, District Prayagraj (Allahabad), he released on bail on his furnishing a personal bond and two sureties each in the sum amount to the satisfaction of the Court concerned subject to following conditions. Further, before issuing the release order, the surities he verified.

(i) The applicant will not tamper with the evidence during the trial.

(ii) The applicant will not pressurize or induce the prosecution witness.

(iii) The applicant will appear before the trial court in the case filed, unless personal presence is exempted.

(iv) The applicant shall not commit an offence similar to the offence of which he is accused, unsuspected, or the commission of which he is suspected.

(v) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

In case of breach of any of the above conditions, the prosecutor shall be at liberty to move bail cancellation application before this Court.

Order Date :- 2.04.2019

Court No. - 65

Case :- CRIMINAL MISC. HALL APPLICATION No - 7284 of 2020

Applicant :- Maneesh Kesharwani

Opposite Party :- State of U.P.

Counsel for Applicant :- Anshu Lal

Counsel for Opposite Party :- G.A.

(Hon'ble Siddhartha J.)

Hears learned counsel for the applicant and learned A.G.A. for the State.

Submissions that the applicant was not named in the first information report and in the first and second statement of the informant under Section 161 Cr.P.C. he has been implicated in this case on the basis of confessional statement of co accused, Abhishek Singh @ Banti, who has already been enlarged on bail by this Court vide order dated 18.10.2019 in Criminal Misc. Bail Application No.42900 of 2019. Applicant has no prior criminal history. Subsequently, he has been implicated in three cases falsely by the police. The applicant is in jail since 09.08.2019.

On the other hand learned AGA has opposed the prayer for bail but could not dispute the above submissions.

Keeping in view the nature of the offence, evidence on record regarding complicity of the accused, submissions of the learned counsel for the parties noted herein above, larger mandate of the Article 21 of the Constitution of India and without expressing any opinion on the merits of the case, the Court is of the view that the applicant has made out a case for bail. The bail application is allowed.

Let the applicant **Maneesh Kesharwani** involved in Case Crime No.: 57 of 2019, under Sections 302, 307, 120 B, 147 IPC, Police Station Jhansi, District- Prayagraj (Allahabad) be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions. Further, before issuing the release order, the sureties be verified.

(i) The applicant shall not tamper with the evidence or threaten the witnesses.

(i) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for

evidence when the witnesses are present in Court. In case of default of this condition, it shall be open for the Trial Court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(ii) The applicant shall remain present before the Trial Court on each date fixed, either personally or as directed by the Court. In case of his absence, without sufficient cause, the Trial Court may proceed against him under Section 229-A of the Indian Penal Code.

(iv) In case the applicant misuse the liberty of bail during trial and in order to secure his presence, proclamation under Section 82 Cr.P.C. is issued and the applicants fail to appear before the Court on the date fixed in such proclamation then the Trial Court shall initiate proceedings against him in accordance with law under Section 174-A of the Indian Penal Code.

(v) The applicant shall remain present in person before the Trial Court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 313 Cr.P.C. If in the opinion of the Trial Court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the Trial Court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

In case of breach of any of the above conditions, the complainant is free to move an application for cancellation of bail before this court.

Order Date :- 19.12.2020

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**IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD**

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**DECLARATION  
IN**

**CRIMINAL MISC. FIRST BAIL APPLICATION NO.                      OF 2020**  
**(Under Section 439 of Cr.P.C.)**

**DISTRICT : ALLAHABAD**

**Mangal Pandey**

**----- Applicant**

**(In Jail since 09.08.2019)**

**Versus**

**State of U.P.**

**----- Opp. Party**

I, the deponent in the present bail application.

Affidant of Dimpal, aged about 49 years, Wife of Rajesh, Resident of House No.12, Mohalla Saurachhegan, District-Bazil. Religion - Hindu, Occupation- Housewife, Aadhar No. 4959 8730 0007, Mobile No.9454637763

Hereby declares that no part of the bail application is false and nothing material has been concealed and further, due to the Corona Virus (Covid-19) Pandemic and Nation-wide lockdown the deponent is unable to travel and swear the affidavit filed in support of the present Bail Application. Further, the deponent pledges herself that she will file a hard copy of the proper affidavit within a period of 15 days from the date of lockdown will be filed.

Dated:        /06/2019

**SHUKLA  
SHASHIDHAR**

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SHASHIDHAR  
Date: 2020.06.09 07:26:44  
+05'30'

**{SHASHI DHAR SHUKLA}**

**Advocate**

**Advocate Roll No.A/19-2746/2014**

**Trnl. No. UP-4742/2011**

**Counsel for the Applicant**

**Chamber No. 67 A, New Building**

**High Court, Allahabad**

**Mobile No. 9454610811**



# IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

NO. \_\_\_\_\_ OF 2020

Dist. Ct.

Appellant

Applicant

Respondent

Versus

Respondent

Opposite Party

Appearance for .....

Filed on the .....

Instructed by .....

Signature by whom instruction given

Signature of High Court Officer  
residing house of appearance of

Dated .....

# IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

NO. \_\_\_\_\_ OF 2020

Dist. Ct.

Appellant

Applicant

Respondent

Versus

Respondent

Opposite Party

In the above case appear .....

Instructed by .....

Signature by whom instruction given

Signature of High Court Officer  
residing house of appearance of

Advocate High Court,  
Allahabad

Advocate High Court,  
Allahabad

Dated .....

SHUKLA  
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Case Crime No.157 of 2019,  
Under Section 302, 307, 120B,  
147 I.P.C. Police Station-  
Jhansi, District- Allahabad

**IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD**

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**CRIMINAL MISC. FIRST BAIL APPLICATION NO.                      OF 2020**  
**(Under Section 439 of Cr.P.C.)**

**DISTRICT : ALLAHABAD**

Mangal Pandey, Son of Late Rajesh Pandey,  
Resident of Village- Samra Gaigan,  
Police Station- Kalwari, District- Basti.

----- Applicant

(In Jail since 09.08.2019)

State of U.P.                      Versus

----- Opp. Party

To.

The Hon'ble the Chief Justice and his other  
Companion Judges of the aforesaid Court

The humble application of the above named  
applicant, Most Respectfully Sheweth as under:

1. That the full facts and circumstances of the case have been given in the accompanying affidavit which is the part of this application.
2. That in view of the facts and circumstances of the case, it is expedient in the interest of justice that this Hon'ble Court may kindly be pleased to release



Uttar Pradesh e-Court Fee Receipt

Receipt Details

Print this Receipt for your records.

40

Government of Uttar Pradesh e-Court Fee Receipt	
Date & Time	08-JUN-2020 16:55:55
Name of Taxpayer	N S DANI AGGARWAL
Location	UTTAR PRADESH
Receipt Type	Court Fee Receipt
Name of Applicant	SHASHI DEVI SHARMA
e-Court Fee Receipt No.	UPCOT025TF200987543
Amount Paid (Rs.)	20
1 Rupee Tax by Court	
Particulars	Amount (Rs.)
Home	0
Any Application	0
Any Conditional Application	0
Others	10
Calculation of Tax	0
Miss Application	0
Other Applications, etc.	0
Total	Not Locked

Uttar Pradesh