

Satyendra Suman @ Netaji And 2 Others vs State Of U.P. on 2 April, 2025

Author: Siddharth

Bench: Siddharth

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Neutral Citation No. - 2025:AHC:45723

Court No. - 47

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 700 of 2025

Applicant :- Satyendra Suman @ Netaji And 2 Others

Opposite Party :- State of U.P.

Counsel for Applicant :- Aushim Luthra,Pranav Tiwary

Counsel for Opposite Party :- Amarnath Tripathi,G.A.

Hon'ble Siddharth,J.

Heard learned counsel for the applicants; Sri Amarnath Tripathi, learned counsel for the informant; learned A.G.A. for the State and perused the material on record.

The instant bail application has been filed on behalf of the applicants, Satyendra Suman @ Netaji, Ranjan Kumar and Ramesh Singh Bhutola, with a prayer to release their on bail in Case Crime No. 63 of 2024, under Sections-417, 420, 465, 467, 468, 471, 120-B and 411 IPC, and section 66-C, 66-D, 74 of Information Technology Act, 2008 Police Station- Cyber Crime, District- Varanasi, during pendency of trial.

Learned counsel for the applicants has contended that the co-accused, Priyranjan Kumar, has been granted bail by this Court on 19.3.2025 in Criminal Misc. Bail Application No.42967 of 2024. The case of the applicants stand on identical footing, hence the applicants are also entitled for bail on the ground of parity. The applicants are languishing in jail since 02.10.2024.

Learned counsel for the informant and learned AGA have opposed the prayer for bail, but do not dispute the claim of parity.

Let the applicants involved in aforesaid case be released on bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions which are being imposed in the interest of justice:-

- (i) The applicants shall furnish a personal bond of Rs.50,000/- with two sureties of like amount and one surety out of two shall be local.
- (ii) The applicants shall not tamper with the evidence or threaten the witnesses.
- (iii) The applicants shall file an undertaking to the effect that they 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.
- (iv) The applicants shall remain present before the Trial Court on each date fixed, either personally or as directed by the Court. In case of their absence, without sufficient cause, the Trial Court may proceed against their under Section 229-A of the Indian Penal Code.
- (v) In case the applicants misuse the liberty of bail during trial and in order to secure their 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 their in accordance with law under Section 174-A of the Indian Penal Code.
- (vi) The applicants 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 applicants are 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 their in accordance with law.

In case, of breach of any of the above conditions, it shall be a ground for cancellation of bail.

Identity and residence proof of the applicants and sureties be verified by the court concerned before the bonds are accepted.

Order Date :- 2.4.2025 Ruchi Agrahari