



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 2253 of 1989

Udaivir And Others

.....Appellant(s)

Versus

State of U.P.

.....Respondent(s)

Counsel for Appellant(s)	:	R.S. Yadav
Counsel for Respondent(s)	:	A.G.A.

Court No. - 90

HON'BLE ANIL KUMAR-X, J.

Order on Criminal Misc. IInd Bail Application No.4 of 2025

1. Heard Sri Upendra Kumar Pushkar, learned counsel for the appellant no.4 and learned A.G.A. for the State respondent.
2. The present bail application has been filed on behalf of the appellant no.4 Rakesh with a prayer to release him on bail in Sessions Trial No. 59 of 1985 and Sessions Trial No.60 of 1985 (Both connected) (State Vs. Udaiveer and others), under Section 376 IP.C., P.S. Gandhi Park District Aligarh.
3. Learned counsel for the appellant no.4 has submitted that appellants were granted bail by this Court on 29.11.1989. Thereafter, appeal was listed for 12.12.2024, but learned counsel for the appellants was not present on that date, due to which non bailable warrant was issued against appellant no.4 Rakesh. Appellant no.4 was taken into custody and is languishing in jail since 13.1.2025. Hence the appellant may kindly be granted bail. It was further submitted that appellant no.4 through his counsel will remain present on dates fixed by this Court for final hearing of the appeal.
4. Learned AGA has opposed the bail and has further submitted that it is the duty of appellant to be present through his counsel on day of hearings in this old Criminal Appeal.
5. Considering the fact that learned counsel for appellant has appeared

and has assured that he will be available for final hearing, let the accused-appellant no.4 namely **Rakesh** convicted and sentenced in the above mentioned case be released on bail on furnishing a personal bond of Rs.15,000/- and two sureties each in the like amount to the satisfaction of the court concerned. However, appellant no.4 shall be released and verification of personal bond and sureties will be carried out thereafter. On acceptance of bail bond and personal bond, the lower court shall transmit photostat copies thereof to this Court for being kept on the record.

Order on Appeal

6. Office is directed to prepare the paper book and provide copy of it to learned counsel for both the parties as per rules.
7. List this appeal on 17.11.2025.

(Anil Kumar-X,J.)

September 22, 2025

SP