



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 669 of 1985

Parash Ram

.....Appellant(s)

Versus

State of U.P.

.....Respondent(s)

Counsel for Appellant(s)	:	R.K.Srivastava
Counsel for Respondent(s)	:	A.G.A.

Court No. - 93

HON'BLE MRS. VANI RANJAN AGRAWAL, J.

Order on Criminal Misc. Bail Application No.1 of 2026

1. This appeal has been preferred by the appellants against the conviction and sentence recorded vide judgment and order dated 27.02.1985 passed by learned Special Judge (Anti Dacoity), Jalaun at Orai, in Session Trial No. 23 of 1983, convicting the appellants under Section 395 read with Section 397 I.P.C. and Section 14 of Dacoity Affected Area Act No.31 of 1983, Police Station- Kuthaund, District- Jalaun and sentencing them to undergo for 7 years rigorous imprisonment.
2. Vide order dated 20.08.2025 it came to knowledge that the appeal was dismissed as abated qua appellant No.2 Rati Ram.
3. Heard Sri Kamal Singh, learned counsel for the appellant as well as the learned AGA for the State.
4. By means of the bail application, the appellant-applicant seeks suspension of sentence and grant of bail.
5. It is submitted on behalf of appellant that on 26.11.2025, when the matter was called on for hearing before this Hon'ble Court, the learned counsel representing the said appellant could not put in appearance. Owing to such non-appearance, this Hon'ble Court was pleased to issue a non-bailable warrant against appellant. It is further submitted that, as per the Office Report dated 22.04.2026, in compliance with the order dated 26.11.2025, the learned Chief Judicial Magistrate, Jalaun has reported that appellant No.1- Paras Ram has been arrested pursuant to the aforesaid non-bailable warrant

and has been remanded to judicial custody in District Jail.

6. Learned counsel for appellant humbly submits that the non-appearance on 26.11.2025 was neither deliberate nor intentional, but occurred due to unavoidable circumstances beyond his control. It is further submitted that the applicant had already engaged counsel, Sri R.K. Srivastava; however, he did not appear before the Court on behalf of the applicant. It is also submitted that the applicant is an elderly person, aged about 75 years, suffering from multiple ailments due to old age, and is 80% disabled. It is emphatically submitted that there was no willful default, negligence, or attempt to delay the proceedings on the part of appellant. The absence was purely inadvertent and occasioned by circumstances beyond control. It has been further submitted that the conviction and sentence imposed by the learned trial court is against the weight of evidence on record. The trial court has misread the evidence on record and convicted the appellant. Besides the above submissions, learned counsel for the appellant has also tried to touch upon at length the circumstances which led to the false implication of accused - appellant.

7. On the other hand, learned AGA vehemently opposed the bail application.

8. I have considered the rival submissions made by learned counsel for the parties and have gone through the entire record including the impugned judgment.

9. Having regard to the facts and circumstances of the case, without further commenting on the merits of the case, I am inclined to release the appellant on bail.

10. Let the above named accused-appellant No.1 **Paras Ram** be released on bail in the aforesaid case on his furnishing a personal bond and two sureties in like amount to the satisfaction of the court concerned subject to the following conditions :-

(i) The appellant/applicant shall cooperate in the early disposal of appeal without seeking any adjournment.

(ii) The appellant/applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.

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

cancellation of bail.

12. It is made clear that this Court has, however, not made any observation on the merits of the appeal.

13. A copy of the personal bond and surety bonds shall be transmitted to this Court by the trial court for being kept on record of this appeal.

14. Office is directed to send a copy of this order to the Court concerned through email/fax immediately for necessary compliance.

Order on Appeal

1. List this appeal after four weeks for hearing.

April 29, 2026

P. Pandey

(Mrs. Vani Ranjan Agrawal,J.)