

**Court No. - 45**

**Case :-** CRIMINAL APPEAL No. - 325 of 2024

**Appellant :-** Rajkumar Tiwari

**Respondent :-** State of U.P.

**Counsel for Appellant :-** Ashwini Kumar Ojha, Vishnu Kant Tiwari

**Counsel for Respondent :-** G.A.

**Hon'ble Saumitra Dayal Singh, J.**

**Hon'ble Sandeep Jain, J.**

**Ref.: Criminal Misc. Short Term Bail/Parole Application No.6 of 2025**

1. Heard learned counsel for the appellant and Sri L.D. Rajbhar, learned A.G.A. for the State.
2. This short term bail has been filed on behalf of the appellant-Rajkumar Tiwari to release him on parole, who has been convicted in Sessions Trial No. 113 of 2023 (Old Sessions Trial No. 100 of 2022) (State Vs. Rajesh and Others), arising out of Case Crime No. 161 of 2021, under Sections 304, 120-B, 34 IPC, Police Station Tehrauli, District Jhansi and in Sessions Trial No. 112 of 2023 (Old Sessions Trial No. 99 of 2022) (State Vs. Rajkumar Tiwari), arising out of Case Crime No. 161 of 2021, under Sections 304, 120-B, 34 IPC, Police Station Tehrauli, District Jhansi.
3. Short term bail has been sought for the reason of surgical intervention/treatment of the appellant.
4. Pursuant to the last order, Sri L.D. Rajbhar, learned A.G.A. has placed on record the report received from the jail authorities. The same is marked as 'X' and retained on record. It has been reported, appellant has been granted appointment to avail his treatment at Maharani Laxmi Bai Medical College, Jhansi on 06.06.2025. As such, the appellant seeks short term bail for the said purpose.
5. Learned A.G.A. has confirmed the facts disclosed in the parole application.
6. In that view of the matter, we deem it appropriate to enlarge the appellant-Rajkumar Tiwari convicted Sessions Trial No. 113 of 2023 (Old Sessions Trial No. 100 of 2022) (State Vs. Rajesh and Others), arising out of Case Crime No. 161 of 2021, under

Sections 304, 120-B, 34 IPC, Police Station Tehrauli, District Jhansi and in Sessions Trial No. 112 of 2023 (Old Sessions Trial No. 99 of 2022) (State Vs. Rajkumar Tiwari), arising out of Case Crime No. 161 of 2021, under Sections 304, 120-B, 34 IPC, Police Station Tehrauli, District Jhansi on short term bail with effect from 31.05.2025 to 04.07.2025 subject to following conditions:

(i) That the appellant shall observe peace and tranquility during the period of short term bail and shall not indulge in any unlawful activity.

(ii) That for the period of short term bail, the appellant shall be accompanied by necessary police guard(s), who shall keep him under 24 hours vigil, but the appellant will be free to move about to places that he may need to visit in connection to the above noted purpose.

(iii) That the appellant shall surrender before the concerned C.J.M. immediately after the short term bail comes to an end, i.e. in the morning on 05.07.2025 and shall be lodged back in jail.

7. This order be intimated to the concerned C.J.M. through the Registrar (Compliance), High Court, Allahabad for making proper arrangement.

8. The concerned authority shall ensure that appropriate security steps are taken so that no uncalled for incident takes place.

9. Let a copy of this order be supplied to the learned counsel for the appellant on payment of usual charges.

10. List in the week commencing 14.07.2025 by which, the concerned C.J.M. shall submit report/ certificate regarding **compliance** of the order of this Court.

11. Also, on that date, the appellant may file an appropriate compliance report showing the treatment availed by him.

12. Short term bail application is, accordingly, **allowed**.

**Order Date :-** 30.5.2025

Anurag/-

**(Sandeep Jain,J.) (S.D. Singh,J.)**