

**Court No. - 46**

**Case :-** CRIMINAL APPEAL No. - 594 of 2021

**Appellant :-** Durgesh Dubey

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

**Counsel for Appellant :-** Suresh Dhar Dwivedi, Raj Kishore Dubey

**Counsel for Respondent :-** G.A., Lakshmi Kant Pandey

**Hon'ble Mrs. Sunita Agarwal, J.**

**Hon'ble Mrs. Sadhna Rani (Thakur), J.**

**In Re: Criminal Misc. (Short Term Bail) Parole Application No.5 of 2022**

Heard learned counsel for the appellant/applicant and learned A.G.A. for the State respondent.

The prayer for release of short term bail of the appellant/applicant - Durgesh Dubey is on the ground to attend the marriage of his sister scheduled on 26.05.2022.

The factum of marriage has been verified by the learned A.G.A. on the basis of written instructions received by him.

The ground to seek short term bail (parole) is found convincing.

Considering the overall facts and circumstances, the appellant/applicant -Durgesh Dubey s/o Sachchidanand Dubey convicted and sentenced in S.T. No. 135 of 2016 (State Vs. Alok Dixit and others), arising out of Case Crime No. 869 of 2015, under Sections 302 r/w Section 149, 364 r/w Section 149, 365 r/w Section 149, 201 r/w Section 149, 147 & 148 I.P.C. Police Station - Rampur, District - Jaunpur is granted short term bail (parole) from 23.05.2022 to 29.05.2022.

The learned Chief Judicial Magistrate concerned is directed to release the appellant/applicant - Durgesh Dubey on parole on 23.05.2022 subject to the conditions as under:

(i) That the applicant shall observe peace and tranquillity during the period of parole and shall not indulge in any unlawful activity.

(ii) That for the period of parole, the applicant shall be accompanied by necessary police guard(s) who shall keep him under a 24 hours vigil, but the applicant will be free to move about the places that he wants to go.

(iii) That the applicant shall surrender before the C.J.M. concerned on 29.05.2022 and shall be sent back to the jail.

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

The C.J.M. concerned shall submit his report/certificate regarding compliance of the order of this Court by the date next date fixed.

The present parole/short term bail application is, accordingly, **allowed.**

**Order on Appeal**

List this appeal on 07.07.2022 along with the report of the Chief Judicial Magistrate concerned.

**Order Date :- 20.5.2022**

Radhika