

Court No. - 44

Case :- CRIMINAL APPEAL No. - 7536 of 2008

Appellant :- Ashok Pathak

Respondent :- State of U.P.

Counsel for Appellant :- Sanjeev Khare, Ajay Kumar Kushwaha, K. Kumar Tripathi, Kamta Prasad, V.P. Srivastava Sr. Adv., Yogesh Kumar Srivastava

Counsel for Respondent :- Govt. Advocate

Hon'ble Siddhartha Varma, J.

Hon'ble Manish Kumar Nigam, J.

Criminal Misc. Short Term Bail (Parole) Application No. 20 of 2025

1. Heard learned counsel for the applicant and learned A.G.A. for the State.
2. This application has been moved on behalf of applicant- Ashok Pathak to release him on short-term bail.
3. The instructions, as have been received by the learned A.G.A., be kept on record.
4. This parole bail application had been filed on the basis of the fact that the applicant's mother Smt. Shyam Rani was very ill. It has been informed by learned counsel for the applicant that the mother of the applicant Smt. Shyam Rani had however died on 21.05.2025.
5. On 26.05.2025, we had directed learned A.G.A. to get information with regard to the fact as to whether Smt. Shyam Rani had died and whether on 02.06.2025 the terahvi ceremony was to be held. It has been informed by learned A.G.A. upon taking instructions that the terahvi ceremony is to be held on 02.06.2025.
6. Considering the overall facts and circumstances, the applicant- Ashok Pathak convicted and sentenced in Special Case /Sessions Trial No. 106 of 2002, arising out of Case Crime No. 611 of 2002, under Section 302 /34, 201 of Indian Penal Code and Section 3(2)5 of S.C./S.T. Act, Police Station- Kotwali Mahoba, District Mahoba is granted short term bail (parole) from 31.05.2025 to 09.06.2025.
7. The Chief Judicial Magistrate, Mahoba is directed to release the applicant - Ashok Pathak on short term bail on his furnishing personal bond and two sureties each in the like amount on 31.05.2025 to the satisfaction of the court concerned, subject to the conditions as under:

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

(ii) That the applicant shall surrender before the Chief Judicial Magistrate concerned on 10.6.2025 and shall be sent back to jail.

8. This order be intimated to the Chief Judicial Magistrate, Mahoba through Registrar General, High Court, Allahabad within 24 hours for making proper arrangements.

9. Chief Judicial Magistrate concerned shall submit his report/certificate regarding compliance of the order of this Court by the date next fixed.

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

Order on the Memo of Appeal

List this case on 16.06.2025.

Order Date :- 29.5.2025

Ved Prakash

(Manish Kumar Nigam,J.)

(Siddhartha Varma,J.)