

Court No. - 48

Case :- CRIMINAL APPEAL No. - 1064 of 2015

Appellant :- Ranvir Singh

Respondent :- State of U.P.

Counsel for Appellant :- Rahul Chaturvedi, Chaman
Aara, Shashi Prakash Giri

Counsel for Respondent :- Govt. Advocate, Deepak Dubey

Hon'ble Suneet Kumar, J.

Hon'ble Syed Waiz Mian, J.

Order on Criminal Misc. (Second) Bail Application No.09 of 2022

Heard Shri Shashi Prakash Giri, learned counsel for the appellant/applicant and learned A.G.A. for the State and perused the record.

It is urged that as per custody certificate of Senior Superintendent, Central Jail, Agra, appellant/applicant has undergone incarceration with remission 10 years 3 months 20 days sentence pursuant to the impugned judgment and order. It is urged that the appeal is not likely to be heard in near future. In support of his submission, reliance has been placed on the decisions of the Supreme Court in *Saudan Singh Vs. The State of Uttar Pradesh (Criminal Appeal No.308 of 2022)* and *Brijesh Kumar @ Ramu Versus The State of Uttar Pradesh (Criminal Appeal No. 540 of 2022)* the appellant is entitled to be enlarged on bail.

Learned A.G.A. has strongly opposed the prayer for bail but he has not been able to dispute the afore-noted authorities.

We have perused the judgment and records of the lower court with the assistance of the learned counsel for the parties. We are of the opinion that the sentence awarded by the trial court be kept in abeyance and the appellant in consequence be enlarged on bail. Consequently, the prayer for bail is granted.

Without expressing any opinion on the merit of the case, let the appellant/applicant-**Ranvir Singh** convicted and sentenced in Sessions Trial Nos.465 of 2012 & 467 of 2012, (State of U.P. vs. Ranvir Singh), arising out of Case Crime Nos.311 of 2012 & 441 of 2012, under Sections-147, 148, 149, 307, 504, 506, 302, 394, 120-B I.P.C. and 7 Criminal Law Amendment Act & under Section 3/25 Arms Act, Police Station-Vrindavan, District-Mathura, be released on bail on his furnishing a

personal bond with two sureties each in the like amount to the satisfaction of the court concerned.

It is made clear that total amount of fine imposed by the trial court and order shall remain stayed till the decision of the appeal.

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.

Office to inform the concerned Jail Superintendent through Chief Judicial Magistrate concerned to ensure compliance of the order.

Order on Appeal

List this appeal in the month of May, 2023 for hearing.

In the meantime, Registry to prepare paper book, if not already prepared.

Order Date :- 23.8.2022

Shivangi