

**Court No. - 64**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 31164 of 2024

**Applicant :-** Tillu Alias Anurag Thakur

**Opposite Party :-** State of U.P.

**Counsel for Applicant :-** Amreesh Kumar, Perdeep Kumar Vishnoi, Vipin Chandra Lal

**Counsel for Opposite Party :-** G.A.

**Hon'ble Samit Gopal,J.**

1. List revised.

2. Sri Perdeep Kumar Bishnoi, learned counsel for the applicant and Sri Birendra Pratap Singh, learned counsel for the State are present.

3. On 25.10.2024, the applicant was granted interim bail by a coordinate Bench of this Court. The said order reads as under:-

*"1. Heard learned counsel for the applicant as well as learned A.G.A for the State of U.P. and perused the record.*

*2. The present bail application has been filed on behalf of the applicant in Case Crime No. 155 of 2024, under Sections 384, 376, 323 IPC, P.S. Kokhraj, District Kaushambi, during pendency of trial, to enlarge him on bail.*

*3. As per prosecution case, applicant is said to have committed rape with the informant.*

*4. The submission of learned counsel for the applicant is that the applicant is innocent person and has been falsely implicated in the case by the victim. It is further submitted that applicant is in judicial custody since 10.07.2024 and he is still ready to perform marriage with the victim provided the victim is ready to marry. It is further submitted that applicant may be granted concession of interim bail in order to enable him to perform marriage with the victim.*

*5. Considering the facts and circumstances of the case, let the applicant- Tillu Alias Anurag Thakur, who is involved in aforementioned case crime be released on interim bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions. Further, before issuing the release order, the sureties be verified.*

*(i) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the date fixed for evidence when the witnesses are present in Court. In case of default of this condition, it shall be open for the Trial Court to treat it as abuse of liberty of bail and pass orders in accordance with law.*

*(ii) The applicant shall remain present before the Trial Court on each date*

*fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the Trial Court may proceed against her under Section 229-A IPC.*

*(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence proclamation under Section 82 Cr.P.C., may be issued and if applicant fails to appear before the Court on the date fixed in such proclamation, then, the Trial Court shall initiate proceedings against him, in accordance with law, under Section 174-A IPC.*

*(iv) The applicant shall remain present, in person, before the Trial Court on dates fixed for (1) opening of the case. (2) framing of charge and (3) recording of statement under Section 313 Cr.P.C. If in the opinion of the Trial Court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the Trial Court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.*

*(v) The Trial Court may make all possible efforts/endeavour and try to conclude the trial within a period of one year after the release of the applicant.*

*6. List this case on 25.11.2024. The applicant shall perform marriage with the victim, as volunteered by him, on or before 25.11.20224 and shall get the marriage registered.*

*7. It is made clear that in case the applicant fails to perform marriage with the victim within the time stipulated, the interim bail shall be cancelled on the next date of hearing.*

*8. On next day, the applicant and victim are directed to appear before this Court in person."*

*4. Subsequently the said interim bail was extended by another coordinate Bench of this Court vide order dated 13.5.2025. The said order reads as under:-*

*"The applicant will prove his bonafide before this court that after grant of interim bail he tried to contact the victim and convince her to marry the applicant, by filing supplementary affidavit.*

*As prayed, list this case again on 21.05.2025.*

*Interim bail, granted to the applicant is extended till the next date only."*

*5. Later on same coordinate Bench passed an order dated 21.5.2025 directing the applicant to surrender before the trial court within two weeks. The said order reads as under:-*

*"Learned counsel for the applicant has submitted that victim has given birth to a child.*

*Learned AGA is directed to get the DNA profile of the applicant matched with the child born to the victim and submit report on the next date fixed.*

*Interim bail granted to the applicant has already come to end on 25.10.2024, but he has not surrendered before the trial court till date.*

*Applicant is directed to surrender before the trial court, within two weeks.*

*List this case on 7.7.2025.*

*In case of default in compliance of this order, bail application of the applicant shall be rejected on the next date fixed."*

6. Learned counsel for the applicant submits that despite his repeated efforts, he is unable to make contact with the applicant and as such he is unable to give the statement regarding compliance of the order dated 21.5.2025.

7. In view of the same, C.J.M., Kaushambi is directed to ensure compliance of the order dated 21.5.2025 by the next date and send a report to this Court within two weeks.

8. The S.P. Kaushambi is also directed to ensure compliance of the said order.

9. Let the matter be listed on 5.8.2025.

10. Registrar (Compliance) and learned counsel for the State shall communicate this order to the officers concerned forthwith who shall send their reports to this Court within one week.

(Samit Gopal, J.)

**Order Date :-** 24.7.2025  
Gaurav Kuls