

**Court No. - 13**

**Case :-** CRIMINAL MISC ANTICIPATORY BAIL  
APPLICATION U/S 438 CR.P.C. No. - 1710 of 2024

**Applicant :-** Raman Sahni

**Opposite Party :-** State Of U.P. Addl. Chief Secy. Deptt. Of  
Home Lko

**Counsel for Applicant :-** Sushil Kumar Singh, Ayush Singh

**Counsel for Opposite Party :-** G.A., Abhisar Dev, Prashant  
Kumar Singh, Rachit Gupta, Sriniwas Bajpai

**Hon'ble Subhash Vidyarthi, J.**

1. Heard Sri Sushil Kumar Singh, the learned counsel for the applicant, Sri Rajesh Kumar Singh, the learned A.G.A.-I appearing on behalf of the State and perused the records.

2. The applicant was granted interim anticipatory bail by means of an order dated 12.08.2024, which is as follows:

*"1. Heard Sri Sushil Kumar Singh, learned counsel for the applicant, learned AGA for respondent - State.*

*2. The supplementary affidavit filed by learned counsel for the applicant may be taken on record.*

*3. This is an anticipatory bail application filed under Section 482 of Bhartiya Nagrik Suraksha Sanhita, 2023 in crime No.124 of 2021 under Sections 2,3 U.P. Gangsters Act, registered at police station Kotwali, District Sitapur.*

*4. In the gang chart, there are two cases indicated against the applicant:*

*i) In case No.539/2020 under Sections 347, 384, 506 IPC registered at police station Kotwali, District Sitapur charge sheet No.491/2020 dated 31.10.2020 has been submitted.*

*ii) In case No. 570/2020 under Sections 341, 506, 504 IPC registered at police station Kotwali, District Sitapur charge sheet No.557/2020 dated 05.12.2020 has been submitted.*

*5. In case No.539/2020, the applicant has been granted bail on 19.07.2022, which is annexure-8 to the affidavit filed in support of anticipatory bail application.*

*6. In case No.570/2020, in a compromise taken place, learned Chief Judicial Magistrate concerned has terminated the proceeding on 03.06.2024, which is annexure-9 to the affidavit filed in support of anticipatory bail application.*

7. Learned AGA pointed out that there are other cases registered against the applicant which are 26 in number which have been explained in paragraph 18 of affidavit filed in support of anticipatory bail application.

8. Learned counsel for the applicant submitted that in most of the cases the applicant has been acquitted.

9. Mr. Srinivas Bajpeyi, Advocate by filing impleadment application opposed for grant of anticipatory bail to the applicant by pointing out that against the applicant there is case No.02104/2018 Computerized Case No.D201810640002104 under Section 301 U.P. Gunda Act, 1970.

10. It has been noticed in the order of High Court dated 03.01.2023 that "Externment order for 6 months dated 29-11-2019, appeal by Commissioner dismissed Writ Petition in High Court pending became infructuous because of efflux of time of 6 months", therefore, the objection raised by proposed respondent is not acceptable in the eyes of law.

11. Next submission of proposed respondent is that anticipatory bail application is not maintainable in view of notification issued on 16.07.2024 by the Central Government.

12. Learned AGA sought a week's time to file details of cases.

13. Learned counsel for the applicant is granted a week's time to file reply to the impleadment application.

14. In view of facts narrated above, the applicant has made out a case for grant of interim protection.

15. Accordingly, list this anticipatory bail application on 22.08.2024.

16. In the meantime, the applicant shall not be arrested. "

3. The aforesaid interim order was vacated on 26.09.2024 keeping in view the provisions contained in Section 531 (2)(a) B.N.S.S. read with Section 438(6)(a)(iv) Cr.P.C. Thereafter, the applicant was again granted interim anticipatory bail by means of an order dated 19.12.2024.

4. By means of a detailed order passed on 28.05.2025 a coordinate Bench of this court turned down objections against maintainability of anticipatory bail application in respect of offences under Uttar Pradesh Gangsters and Anti-Social Activities (Prevention) Act.

5. The State as well as the intervener who is a victim of a base case mentioned in the gang chart, have filed objections against anticipatory bail application. In the counter affidavit filed by the State it has been stated that a charge sheet has already been submitted against the co-accused person on 03.04.2022, but further investigation against the applicant has been stayed in compliance of an interim order passed by Hon'ble the Supreme

Court.

6. In these circumstances, this court finds no good ground to vacate the interim anticipatory bail granted to the applicant.

7. In view of above, the interim order dated 12.08.2024 restored on 19.12.2024 is made absolute and the anticipatory bail application is **allowed** in terms of interim order dated 12.08.2024.

8. The applicant is directed to appear before the learned trial court and furnish personal bond and sureties within a period of two weeks from today.

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**[Subhash Vidyarthi, J.]**

**Order Date :- 18.8.2025**

Ram.