

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
Criminal Appeal No(s). 471/2019

VIJAY SINGH

Appellant(s)

VERSUS

THE STATE OF UTTAR PRADESH

Respondent(s)

(IA No. 118708/2021 - EXEMPTION FROM FILING O.T.
IA No. 118707/2021 - GRANT OF BAIL)

Date : 29-10-2021 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DINESH MAHESHWARI
HON'BLE MR. JUSTICE VIKRAM NATH

For Appellant(s) Mr. Vikas Singh, Sr. Adv.
Mr. Vishwajit Singh, Adv.
Mr. Pankaj Singh, Adv.
Ms. Ridhima Singh, Adv.
Ms. Shivali Chaudhary, Adv.
M/S. Vidhi International, AOR

For Respondent(s) Mr. M. Shoeb Alam, AOR

Ms. Aishwarya Bhati, ASG
Mr. Ankit Goel, AOR
Mr. Birendra Kumar Mishra, Adv.

Mr. Suryaprakash V. Raju, ASG
Mr. Rajat Nair, Adv.
Ms. Rukhmini Bobde, Adv.
Ms. Swati Ghildiyal, Adv.
Mr. K.L. Janjani, Adv.
Mr. Arvind Kumar Sharma, AOR

UPON hearing the counsel the Court made the following
O R D E R

In response to the order dated 22.10.2021, an affidavit of the Jail Superintendent, District Jail, Ghaziabad, has been filed on behalf of the State of Uttar Pradesh, *inter alia*, stating that the District Jail, Lucknow is a prison with modern and high security

barracks and if the appellant is shifted to the District Jail, Lucknow, necessary arrangements for regular check-up at SGPGIMS, Lucknow would be ensured with least of the problems, particularly where District Jail, Lucknow, is situated closest to SGPGIMS, Lucknow.

Mr. Vikas Singh, learned senior counsel for the appellant has submitted that in view of the apprehensions concerning the stay in District Jail, Lucknow, the request of the appellant is that he may be shifted to Raebareli or Barabanki. Learned senior counsel has further submitted that the affidavit so filed on behalf of the State is that of Jail Superintendent, Ghaziabad only and even that affidavit does not answer to the queries which the State of Uttar Pradesh was supposed to respond. Learned senior counsel for the appellant has reiterated the prayer on behalf of the appellant for granting regular bail or atleast an interim bail with reference to his medical requirements. He has also submitted that the appellant is carrying reasonable apprehension about his own safety, if he is shifted to Lucknow and has reiterated the prayer for shifting the appellant to Raebareli or Barabanki.

Having examined the matter in its totality, we are not inclined to grant regular or interim bail to the appellant. However, so far as his medical requirements are concerned, we have suggested that the appellant may be shifted to Lucknow or else, he may remain where he is at present, i.e., District Jail, Banda. Though, Mr. Vikas Singh, learned senior counsel would repeat his submissions that the petitioner may be shifted to Raebareli or Barabanki but in the last, he submitted that if such prayers are

not accepted, the appellant would prefer staying in Banda Jail only.

Having regard to the facts and circumstances in this case, this application seeking grant of bail is rejected but while reiterating the requirements indicated in the order dated 08.10.2021 that the Jail authorities shall provide all the necessary medical support and treatment to the appellant and for that matter, the appellant may also be taken to SGPGIMS hospital, Lucknow for evaluation, treatment and follow-up, as and when required.

So far as the main appeal is concerned, hearing is expedited and be listed accordingly.

(POOJA SHARMA)
SENIOR PERSONAL ASSISTANT

(SUNIL KUMAR RAJVANSHI)
BRANCH OFFICER