

Court No. - 77

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 1348 of 2023

Applicant :- Prof. (Dr.) Rajendra Bihari Lal

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Kumar Vikrant, Sr. Advocate

Counsel for Opposite Party :- G.A.

Hon'ble Mrs. Manju Rani Chauhan, J.

I have heard Sri G.S. Chaturvedi, learned Senior Advocate assisted by Sri Kumar Vikrant, learned counsel for the applicant, Sri Manish Goel, learned Senior Advocate / Additional Advocate General assisted by Sri A.K. Sand and Sri Amit Singh Chauhan, learned AGAs-I appearing for the State, at length.

As per prosecution case, first information report was lodged by the informant- Himanshu Dixit with the allegations that about 90 persons of Hindu religion have been congregated at Evangelical Church of India, Hariharganj, Fatehpur for the purpose of their conversion to Christianity by putting them under undue influence, coercion and luring them by playing fraud and promise of easy money etc.; on receiving this information, the Government officers reached the place and interrogated the pastor Vijay Massiah; he disclosed that the process for conversion was going on for the last 34 days and that this process shall be completed within 40 days; that they have been trying to convert even patients admitted to the Mission Hospital and the employees play an active role in the same; the Government officers found 35 persons (named in the F.I.R.) and 20 unknown persons as having been involved in this conversion of 90 persons of Hindu community to Christianity. The F.I.R. was registered under Sections 153A, 506, 420, 467, 468 I.P.C. and Sections- 3/5(1) of Uttar Pradesh Prohibition of

Unlawful Conversion of Religion Act and the matter was investigated upon.

Learned Senior Counsel appearing for the applicant contends that the applicant is not named in first information report, however, has been implicated at subsequent stage on the basis of statements given by two interested witnesses and Investigating Officer of the case as being biased against the applicant. He further submitted that the applicant is innocent and has no criminal antecedent to his credit. He next submitted that the informant holds a position in an organization - Vishva Hindu Parishad and some co-accused persons have already been released on bail.

On specific queries raised by the Court over certain cognate issues as argued by learned Senior Counsel appearing for the applicant and the learned Additional Advocate General for the State, an adjournment is sought on behalf of both the parties for the day.

Mr. Goel, learned Addl. Advocate General seeks some more time to render further assistance in the matter to establish indiscernible multipronged act of the accused including collection and siphoning of foreign funds behind the curtain for the divergent purpose of forceful mass conversion of innocent poor and physically impaired persons who are admittedly patients in the Hospital of Mission or are in any manner connected with Missionaries running across the State.

On the request made by learned counsel appearing for both the parties, the case is posted for 16.2.2023 at 10:00 A.M., as fresh, for further hearing.

It is provided that, if the applicant appears before the Investigating Officer on 13th & 15th February, 2023 and files an undertaking to that effect before the Investigating Officer on

13th February, 2023 itself surrendering his passport, if any, to further the investigation, Investigating Officer shall ensure that neither the applicant be arrested nor any coercive action is taken in the present case till 15.2.2023. It is also directed that the Senior Officials as well as Investigating Officer concerned shall ensure that the applicant be not arrested on 13th and 15th February, 2023 when he comes to cooperate in the investigation.

Order Date :- 9.2.2023

DS