

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 27694 of 2022

Applicant :- Amit Kumar

Opposite Party :- State of U.P.

Counsel for Applicant :- Vijay Pratap Singh

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma,J.

1. Counter affidavit filed on behalf of the State is taken on record.
2. Heard Sri Vijay Pratap Singh, learned counsel for the applicant, learned AGA for the State and perused the record.
3. By means of this bail application, applicant seeks bail in Case Crime No.580 of 2020, under Sections 394, 342, 412 IPC, Police Station Beta-2, District Gautam Budh Nagar, during the pendency of trial.
4. It is submitted by learned counsel for the applicant that the applicant is innocent and has falsely been implicated in the present case. He is not named in the FIR. His name has come into picture in the confessional statement of the co-accused. No any incriminating article has been recovered from his possession. He has explained criminal history of the applicant in paragraph-3 of the supplementary affidavit. There is no likelihood of his abscondence or tampering with the evidence. The applicant is languishing in jail since 22.10.2020. In the the applicant is released on bail, he will not misuse the said liberty.
5. The prayer for bail has been vehemently opposed by learned AGA and it has been submitted that there is criminal history of 17 more cases against the applicant which has been explained at page-9 of the counter affidavit.
6. Considering the facts, circumstances and the submissions made, this Court is of the view that the applicant has made out a case for grant of bail. Accordingly, the bail application is allowed.
7. Let the applicant - **Amit Kumar**, involved in the aforesaid case crime be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of

the court concerned subject to the conditions that he:

(i) shall appear on the date fixed by the trial court;

(ii) shall not tamper with the prosecution evidence;

(iii) shall not pressurize the prosecution witnesses.

8. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

Order Date :- 17.10.2023

Shahroz