

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 26322 of 2023

Applicant :- Ajay Singh

Opposite Party :- State of U.P.

Counsel for Applicant :- Harsh Narayan Singh

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia,J.

1. Heard learned counsel for the applicant, learned AGA and perused the record.

2. In terms of the FIR, on the basis of a search carried out from three persons allegedly some illegal weapons were recovered.

3. Learned counsel for the applicant submits that the recovery is not in the presence of any independent witness and the applicant has only one criminal history, which has been duly explained in paragraph 4 of the supplementary affidavit, which is a minor offence. It is further submitted that applicant is in jail since 22.4.2023.

4. Learned AGA has opposed the bail application.

5. Considering the fact that the applicant is in jail since 22.4.2023 and the recovery was not in the presence of any independent witness and there is nothing on record to demonstrate that the applicant if enlarged on bail, would in any way adversely affect the trial and without expressing any opinion on merit, I am of the view that the applicant is entitled to be released on bail. In view thereof, the application is allowed.

6. Let the applicant **Ajay Singh** be released on bail in FIR No. 103 of 2023, under section 3/5/25 Arms Act, P.S. Kotwali Dehat, district-Banda, on his furnishing a personal bond with two sureties of Rs.25,000/- each to the satisfaction of court concerned with the following conditions:

(a) The applicant shall execute a bond to undertake to attend the hearings;

(b) The applicant shall not commit any offence similar to the offence of which he is accused or suspected of the commission; and

(c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

Order Date :- 9.11.2023

Faridul