

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 27091 of 2023

Applicant :- Hanuman Nishad

Opposite Party :- State of U.P.

Counsel for Applicant :- Sunita Chauhan, Ashutosh Kumar Pandey

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. The FIR in question was lodged against unknown persons of enticing away with the money of the informant. Subsequently, based upon some recovery, the applicant was implicated with the offence in question. Counsel for the applicant argues that the co-accused has been enlarged on bail vide order, which is on record at Page - 30. It is also argued that nothing was recovered from the applicant. The criminal antecedents have been explained in supplementary affidavit filed today in Court, which is taken on record.
3. Learned AGA has opposed the bail application.
4. Considering the fact that no recovery was effected from the applicant and the applicant was not named in the FIR, the applicant is entitled to be enlarged on bail. In view thereof, the application is ***allowed***.
5. Let the applicant ***Hanuman Nishad*** be released on bail in FIR No.22 of 2023, under Section 328, 420, 379 & 411 IPC, P.S. Kaptanganj Azamgarh, District Azamgarh 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 :- 6.11.2023

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