

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 28146 of 2023

Applicant :- Manish Kumar Rajput

Opposite Party :- State of U.P.

Counsel for Applicant :- Indra Pal Singh Rajpoot, Ashutosh Kumar Singh, Gaytri Rajput, Jalaj Singh, Pankaj Kumar Chaube, Rafeek Ahmad Khan

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma, J.

1. Supplementary affidavit filed today in court is kept on record and same be indexed by the office.
2. Heard Shri Pankaj Kumar Chauhan, learned counsel for the applicant, learned A.G.A. for the State and perused the records.
3. The instant bail application, has been filed with a prayer to enlarge the applicant on bail in Case Crime No. 374 of 2022, under Sections 413, 414 I.P.C., Police Station- Jaria, District- Hamirpur, during pendency of the trial.
4. According to the learned counsel for the applicant the name of the applicant has come into picture in the statement of co-accused persons. The criminal antecedents have been explained by the applicant. The co-accused persons namely Sushil Singh Rajput and Devendra Kumar Rajpur have already been enlarged on bail by the Co-ordinate Bench of this Court vide Criminal Misc. Bail Application No.2138 of 2023 and 1961 of 2023 vide order dated 17.01.2023 and 01.02.2023 respectively. Learned counsel for the applicant has properly explained the criminal history of the applicant. The applicant claims parity. The applicant is languishing in jail since 27.05.2023, in case he is enlarged on bail, he will not misuse the said liberty, and there is no likelihood of abscondence or tampering with evidence.
5. Learned A.G.A. has opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.
6. Having regard to the submissions made but without commenting on merits of the case, I am of the opinion that the applicant is

entitled to be enlarged on bail.

7. Let the applicant, **Manish Kumar Rajput**, involved in the aforesaid case be released on bail on his furnishing a personal bond and two sureties each of the like amount to the satisfaction of court concerned on the following conditions that:

- i. the applicant shall not temper with the prosecution evidence;
- ii. the applicant shall not pressurize the prosecution witness;
- iii. the applicant shall appear on each and every date fixed by the trial court.

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 :- 1.11.2023

A Gautam