

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 33639 of 2023

Applicant :- Mubarik @ Lala

Opposite Party :- State of U.P.

Counsel for Applicant :- Inder Pal Singh Tomar, Anjali Singh Tomer

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia, J.

1. Supplementary affidavit filed in the court today is taken on record.
2. Heard learned counsel for the applicant, learned AGA and perused the record.
3. The FIR was lodged alleging that two persons named in the first information report as well as two unnamed persons were demanding illegal money from the informant and on resistance attacked the informant with knife.
4. Learned counsel for the applicant submits that other co-accused Taleem @ Kala against whom the same allegations were leveled has already been enlarged on bail by this Court, vide order dated 24.7.2023 passed in Criminal Misc. Bail Application No. 30942 of 2023. He further submits that the criminal history has been properly explained in supplementary affidavit. It is further submitted that applicant is languishing in jail since 9.6.2023.
5. Learned AGA has opposed the bail application.
6. Considering the nature of allegations leveled in the FIR, nature of injuries, the co-accused although with whom no parity can be made out, has been enlarged on bail and the applicant is on bail in the major cases alleged against him, the applicant entitled to be enlarged on bail. In view thereof, the application is allowed.
7. Let the applicant **Mubarik @ Lala** be released on bail in FIR No. 278 of 2023, under sections 386, 324 I.P.C. and section 4/25 Arms Act, P.S. Kairana, district-Shamli, 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