

Court No. - 76

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 35984 of 2023

Applicant :- Mohammad Qaiyoom

Opposite Party :- State of U.P.

Counsel for Applicant :- Ajai Krishna Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Vikram D. Chauhan,J.

1. Learned A.G.A. for the State submits that instructions have been received and has no objection in case the bail application is heard on merits.

2. Heard learned counsel for the applicant, learned A.G.A. for the State and perused the record.

3. Instant bail application has been filed on behalf of the applicant who is involved in Case Crime No. 107 of 2023, under Sections 379, 411, 419, 420, 467, 468, 471 I.P.C., P.S. Dumariyaganj, District Siddharth Nagar.

4. It is submitted by learned counsel for the applicant that as per the FIR truck bearing registration no. UP51AT2339 is alleged to have been stolen by the unknown persons. Subsequently, from the joint possession of co-accused persons including the applicant the truck, in question, was recovered. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in the instant case. Applicant was not named in the FIR. The criminal history of the applicant has been explained in paras 9 and 21 of the affidavit.

5. Learned A.G.A. for the State opposed the prayer for bail and submits that the truck, in question, which is the subject matter of the present FIR has been recovered from the joint possession of the applicant and other co-accused persons.

6. On the pointed query being made to the learned counsel for the applicant as to how the truck in question came in possession of the applicant, no explanation has been offered by the learned counsel for the applicant.

7. Accordingly, the bail application is rejected.

Order Date :- 22.11.2023

S.Prakash