

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 37623 of 2023

Applicant :- Mohammad Tariq Alias Zama Khan

Opposite Party :- State of U.P.

Counsel for Applicant :- Mirza Ali Zulfaqar, Kalbe Abbas

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia, J.

1. Heard learned counsel for the applicant as well as learned A.G.A. and perused the record.
2. The FIR in question was lodged against unknown persons. Subsequently, after about one year of the alleged incident, the applicant was apprehended based upon the statement of the co-accused and the apprehension of the applicant in an other case.
3. Counsel for the applicant argues that there is no material whatsoever to implicate the applicant with the offence in question. As regards the criminal history, the applicant has filed a supplementary affidavit explaining that in all cases pending against the applicant, he is on bail.
4. Learned A.G.A. vehemently opposed the bail prayer.
5. Considering the statement made at the bar as well as after hearing the learned A.G.A., prima facie, there appears to be no material so as to implicate the applicant with the offence in question that too after one year of the alleged incident. The applicant who is in custody since 14.6.2023, is entitled to be released on bail.
6. Accordingly, the bail application is allowed.
7. Let the applicant **Mohammad Tariq Alias Zama Khan** be released on bail in FIR/ Case Crime No.132 of 2022, under Sections 457, 380, 411 IPC, P.S. Attarsuiya, District Prayagraj, on his furnishing personal bonds and two reliable sureties of Rs. 25,000/- each to the satisfaction of the 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 :- 30.10.2023

S.A.