

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 37965 of 2023

Applicant :- Taj Mohd

Opposite Party :- State of U.P.

Counsel for Applicant :- Niyaj Ahamad, Mohd. Kamar Shah Alam

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia, J.

1. Supplementary Affidavit filed today in court is taken on record.
2. Heard learned counsel for the applicant, learned AGA and perused the record.
3. The accused-applicant seeks bail in Case Crime No.178 of 2023 under section 393 IPC, P.S. Kanth, District Moradabad.
4. The FIR in question was lodged against unknown persons. Subsequently, despite there being no recovery from the applicant, he was apprehended solely based upon the confessional statement.
5. The counsel for the applicant has filed the supplementary affidavit indicating the criminal history of the applicant.
6. Considering the fact that the applicant who is in custody solely based upon the confessional statement and there is no recovery from the applicant, the applicant is entitled to be enlarged on bail. Thus the bail application is allowed.
7. Let the applicant **Taj Mohd** be released on bail in aforesaid first information report number subject to his furnishing a personal bond and two reliable sureties of Rs.25000/- (Twenty Five Thousand) each of the like amount 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 :- 31.10.2023

VNP/-