

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 39154 of 2023

Applicant :- Muziwal Hasan@ Chote @ Muzeeb Khan

Opposite Party :- State of U.P.

Counsel for Applicant :- Umendra Kumar Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma,J.

1. This is second bail application. The first bail application was rejected on 12.10.2022.

2. Heard learned counsel for the applicant, learned AGA for the State-opposite party and perused the record.

3. The instant bail application has been filed with a prayer to enlarge the applicant, **Muziwal Hasan@ Chote @ Muzeeb Khan**, on bail in Case Crime No. 0139 of 2021, under Section 2/3 of the U.P. Gangsters and Anti Social Activities (Prevention) Act, 1986, Police Station- Madhotada, District- Pilibhit, during the pendency of trial.

4. Counsel for the applicant submitted that the applicant has been falsely implicated in the instant case. The applicant is sole bread earner of the family and in his absence his family is on the verge of starvation. The other co-accused who have been made accused in this case crime, have been granted bail by this Court. It is next contended that the applicant has been suffering several diseases in the jail, he is in urgent need of medical care. In support of his arguments, some medical reports have been placed by learned counsel for the applicant. It is lastly contended that the applicant is in jail since 27.11.2022, in case, he is enlarged on bail, he undertakes to abide by the law and shall not misuse the said liberty.

5. Learned AGA has opposed the prayer for bail and submitted that the applicant has a long criminal history of 19 cases which are of serious in nature. Time and again, he has been misusing the liberty granted to him. In case, he is enlarged on bail he will again commit such offences. So far as the medical condition of the accused is concerned, there is nothing serious in the reports, moreover, there

is facility of hospital at the Jail itself where the accused is being treated by the doctors.

6. Having regard to the submissions made but without commenting on merits of the case, I am of the opinion that no new ground has been shown by the applicant, therefore, the applicant is not entitled to be released on bail.

7. Accordingly, the application is **rejected**.

Order Date :- 31.10.2023

S.Verma