

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 41125 of 2023

Applicant :- Rinku Jat

Opposite Party :- State of U.P.

Counsel for Applicant :- Ashvni Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma,J.

1. Heard learned counsel for the applicant as well as learned A.G.A. for the State of U.P. and perused the record.
2. The instant bail application has been filed with the prayer to enlarge the applicant on bail in Case Crime No. 81 of 2015, under Section 2/3 of the U.P. Gangsters and Anti Social Activities (Prevention) Act, 1986, Police Station Dando, District- Aligarh, during the pendency of the trial.
3. Learned counsel for the applicant submits that initially the accused-applicant was granted bail on 21.08.2023 by the coordinate Bench of this Court, however, after being released on bail, the applicant went outside the State for his livelihood and his counsel did not inform ultimately the N.B.W. and other process have been issued by the Court below. It is submitted that the applicant would appear before the trial court on each and every date fixed by it. The criminal history of the applicant has been explained through supplementary affidavit. The applicant is in jail since 01.08.2023.
4. Learned A.G.A. has opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.
5. Considering the rival submissions of learned counsel for parties, as it is a case of abscondance and the applicant undertakes to cooperate in the trial, I am of the view that the applicant is entitled to be released on bail. Accordingly, the bail application is allowed.
6. Let the applicant- **Rinku Jat** involved in the aforesaid case, be released on bail on his furnishing a personal bond and two sureties each of the like amount to the satisfaction of court concerned on the following conditions that:

(i) the applicant shall not tamper with the prosecution evidence;
(ii) the applicant shall not pressurize the prosecution witnesses;
(iii) the applicant shall appear on each and every date fixed by the trial court.

(iv) The applicant shall not leave the territory of district Aligarh, without prior permission of the trial Court.

7. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

Order Date :- 17.10.2023

S.Verma