

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 41589 of 2023

Applicant :- Karanpal

Opposite Party :- State of U.P.

Counsel for Applicant :- Arun Kumar Sharma, Zafar Ali

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. 307 of 1998, under Section 2/3 (1) of the U.P. Gangsters and Anti Social Activities (Prevention) Act, 1986, Police Station Gandhi Park, District-Aligarh, during the pendency of the trial.
3. Learned counsel for the applicant submits that initially the accused-applicant was granted bail, however, due to pandemic covid-19, the accused could not appear before the Court since 10.9.2021, and on 6.8.2023 the Trial Court, issued N.B.W. and ultimately the applicant was arrested on 25.7.2023 and since then he is in jail. Thereafter the applicant moved an application for enlargement on bail, however, same was rejected and the applicant is in jail since then. It is submitted that the applicant would appear before the trial court on each and every date fixed by it.
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- **Karanpal** 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;
and,
(iii) the applicant shall appear on each and every date fixed by the trial court.

(iv) the applicant shall not leave the territory of Aligarh district without prior permission of the trial Court. The trial Court, however, would endeavour to conclude the trial of aforesaid Crime within a period of six months from the date of production of this order before it.

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 :- 19.10.2023

S.Verma