

Court No. - 37

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 43897 of 2023

Applicant :- Ramnaresh

Opposite Party :- State of U.P.

Counsel for Applicant :- Sudarshan Singh, Sharma Shashank

Counsel for Opposite Party :- G.A.

Hon'ble Ajay Bhanot, J.

This is the second bail application.

By means of the bail application the applicant has prayed to be enlarged on bail in Case Crime No. 16 of 2023 at Police Station- Fareedpur, District- Bareilly under Sections 147, 148, 149, 302, 307, 120-B, 435, 504, 34 IPC, Section 7 Criminal Law Amendment Act and Section 3/25 Arms Act. The applicant is in jail since 19.01.2023.

The first bail application of the applicant was rejected by this court on 12.06.2023.

The following arguments made by Sri Sudarshan Singh, learned counsel on behalf of the applicant, which could not be satisfactorily refuted by Shri Rishi Chaddha, learned AGA from the record, entitle the applicant for grant of bail:

1. The applicant is not a flight risk. The applicant is a law abiding citizen who cooperated in the investigation and has joined the trial proceedings. The applicant never tampered with the evidence nor did he influence any witness.

2. Learned counsel for the applicant claims congruency in role and seeks parity in relief granted to co-accused Sanjay Singh, Vipin Singh, Mukesh, Rahul Singh, Ajay Singh, Suraj Pal Singh, Rishi Pal, Rohit Singh @ Tau, Subhash Pathak, Virendra Pathak, Pratul Tomar @ Kallu, Munendra Pal, Vikas Singh, Lukmaan Husain, Sunil, Sudhir, Kuldeep @ Bade, Nanhey Singh @ Deepak Singh, Rinku Singh, Abhishek and Suresh Pal Singh Tomar who have been granted bail by this Court by orders dated 23.05.2023 in Criminal Misc. Bail Application No. 18183 of 2023, 31.05.2023 in Criminal Misc. Bail Application No. 24498 of 2023, 06.07.2023 in Criminal Misc. Bail Application No. 26621 of 2023, 03.07.2023 in Criminal Misc. Bail Application No. 26061 of 2023, 23.06.2023 in Criminal Misc. Bail Application No. 25990 of 2023, 06.07.2023 in Criminal Misc. Bail Application No. 25704 of 2023, 11.07.2023 in Criminal Misc. Bail Application No. 29096 of 2023, 19.07.2023 in Criminal Misc. Bail Application No. 30193 of 2023, 21.07.2023 in Criminal Misc. Bail Application No. 30744 of 2023, 13.07.2023 in Criminal Misc. Bail Application No. 30453 of 2023, 02.08.2023 in Criminal Misc. Bail Application No. 24920 of 2023, 06.07.2023 in Criminal Misc. Bail Application No. 29398 of 2023, 06.07.2029 in Criminal Misc. Bail Application No. 25634 of 2023, 28.06.2023 in Criminal Misc. Bail Application No. 25532 of 2023, 28.06.2023 in

Criminal Misc. Bail Application No. 24643 of 2023, 30.05.2023 in Criminal Misc. Bail Application No. 24162 of 2023, 01.06.2023 in Criminal Misc. Bail Application No. 23572 of 2023, 31.05.2023 in Criminal Misc. Bail Application No. 23483 of 2023, 30.05.2023 in Criminal Misc. Bail Application No. 24307 of 2023, 14.09.2023 in Criminal Misc. Bail Application No. 29386 of 2023 and 20.09.2023 in Criminal Misc. Bail Application No. 40858 of 2023.

3. The applicant does not have any criminal history apart from this case.

In the light of the preceding discussion and without making any observations on the merits of the case, the bail application is allowed.

Let the applicant- Ramnaresh be released on bail in the aforesaid case crime number, on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court below. The following conditions be imposed in the interest of justice:-

(i) The applicant will not tamper with the evidence or influence any witness during the trial.

(ii) The applicant will appear before the trial court on the date fixed, unless personal presence is exempted.

Order Date :- 16.11.2023/Pravin