

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 41534 of 2023

Applicant :- Santosh Gond @ Dablu Gond

Opposite Party :- State of U.P.

Counsel for Applicant :- Nanhe Lal Tripathi, Satish Kumar Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma, J.

1. Counter affidavit filed today is taken on record.
2. Heard learned counsel for the applicant, learned AGA for the State and perused the record.
3. By means of this bail application, applicant seeks bail in Case Crime No.242 of 2023, under Sections 8/21 of N.D.P.S. Act, Police Station Chandauli, District Chandauli, during the pendency of trial.
4. It is submitted by learned counsel for the applicant that the applicant has been falsely implicated in the present case. It is also submitted that the alleged contraband was recovered from the possession of co-accused person, Pravin Kumar not from the present applicant. The present applicant is only simple driver and he has no concern with the present matter. It is also submitted that the applicant is having no criminal history to his credit. There is no likelihood of his abscondence or tampering with the evidence. The applicant is languishing in jail since 04.09.2023. In case the applicant is released on bail, he will not misuse the said liberty.
5. The prayer for bail has been vehemently opposed by learned AGA.
6. Considering the facts, circumstances and the submissions made but without commenting on the merits of the case, this Court is of opinion that the applicant has made out a case for grant of bail.
7. Accordingly, the bail application is **allowed**.
8. Let the applicant - **Santosh Gond @ Dablu Gond**, involved in the aforesaid case crime be released on bail on his furnishing a

personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to the conditions that he:

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

9. 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 :- 7.11.2023
Shivangi