

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 42315 of 2023

Applicant :- Pradeep Singh

Opposite Party :- State of U.P.

Counsel for Applicant :- Rakesh Kumar Verma

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma,J.

1. Counter affidavit filed on behalf of the State is taken on record. Rejoinder affidavit filed on behalf of the applicant is also taken on record.

2. Heard learned counsel for the applicant and learned AGA for the State-respondent.

3. The instant bail application has been filed with a prayer to enlarge the applicant on bail in Case Crime No.03 of 2023, under Sections 420, 411 IPC and Sections 66(C) IT Act, Police Station Cyber Crime, District Moradabad, during the pendency of trial.

4. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. He is not named in the FIR. It is further contended that though several articles such as mobile phone, debit cards, sim etc. but no evidence has been produced by the prosecution to show that the aforesaid articles were used in wrongful gain and wrongful loss to anyone. These articles could not be connected with any offence. There is no previous criminal history of the applicant. There is no likelihood of abscondence or tampering with the evidence. The applicant is in jail since 19.07.2023. In case the applicant is enlarged on bail, he will not misuse the said liberty.

5. Learned AGA has opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

6. Having regard to the facts, circumstances and the submissions made but without commenting on merits of the case, this Court is of opinion that the applicant is entitled to be enlarged on bail. Accordingly, the bail application is allowed.

7. Let the applicant - **Pradeep Singh**, involved in the aforesaid case 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.

8. 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 :- 3.11.2023

Shahroz