Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 43652 of 2023

Applicant :- Makhan @ Upendra
Opposite Party :- State of U.P.
Counsel for Applicant :- Mahesh Kumar Sahani
Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia,J.

1. Heard learned Counsel for the applicant as well as learned A.G.A. and perused the record.

2. Submission of Counsel for the applicant is that the applicant is on bail in the solitary case shown in the gang chart. The copy of the bail order is on record. He further submits that other than the cases shown in the gang chart, the applicant is also on bail. The applicant is in custody since 18.08.2023.

3. Per contra, learned A.G.A. has opposed the bail prayer of the applicant.

4. Considering the facts and circumstances of the case as well as submissions made by learned counsel for the parties and also perusing the material on record, and keeping in view the fact that the applicant has already been enlarged on bail in the aforementioned case shown in the gang chart and without expressing any opinion on merit of the case, I am of view that the applicant is entitled for bail.

5. Thus, the present application is ***allowed***.

6. Let the applicant ***Makhan @ Upendra*** be released on bail in Case Crime/ FIR No.161 of 2023, under Section 3(1) of the U.P. Gangsters and Anti-Social Activities (Prevention) Act, 1986 registered at Police Station Khorabar, District Gorakhpur on his furnishing a personal bond with two sureties of Rs.25,000/- each to the satisfaction of court concerned with the following conditions:

(a) The applicant shall execute a bond to undertake to attend the hearings;

(b) The applicant shall not commit any offence similar to the offence of which he is accused or suspected of the commission; and

(c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

Order Date :- 31.10.2023
akverma

Digitally signed by :-
ASHOK KUMAR VERMA
High Court of Judicature at Allahabad