

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 42820 of 2023

Applicant :- Girraj

Opposite Party :- State of U.P.

Counsel for Applicant :- Rajiv Kumar Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma,J.

1. Heard Sri Rajiv Kumar Pandey, learned counsel for the applicant, and learned A.G.A. for the State and perused the records.
2. The instant bail application, has been filed with a prayer to enlarge the applicant on bail in Case Crime No. 171 of 1996, under Section 25 Arms Act, Police Station Tappal, District Aligarh, during pendency of the trial.
3. From the perusal of record it transpires that initially the applicant was enlarged on bail under the Arms Act on 15.10.1996 and he was absconded in the year 2020. Process were issued. According to the applicant due to Corona Pandemic-2019 the applicant could not appear in the court. Since 22.08.2023 he is in jail.
4. Learned trial court is directed to decide the case within six months preferably because the case is relates to the year 1996.
5. According to the learned counsel for the applicant the applicant is languishing in jail since 22.08.2023, in case he is enlarged on bail, he will not misuse the said liberty, and there is no likelihood of abscondence or tampering with evidence.
6. Learned A.G.A. has opposed the prayer for bail.
7. It is a case of abscondence (jump bail) in which when the applicant did not attained the case/court since 2020, he was arrested later on and he is in jail since 22.082023. No useful purpose would be served to this Court to keeping the applicant in jail, initially he has been enlarged on bail.

8. Considering the age, cause of the absence of applicant, the bail application is allowed.

9. Let the applicant, **Girraj** 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 temper with the prosecution evidence;
- ii. the applicant shall not pressurize the prosecution witness;
- iii. the applicant shall appear on each and every date fixed by the trial court.

10. 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 :- 2.11.2023

Vikram