

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 43045 of 2023

Applicant :- Krishandev Prasad @ Krishan Kumar

Opposite Party :- State of U.P.

Counsel for Applicant :- Rahul Singh, Ranjeet Asthana

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma, J.

1. Heard learned counsel for the applicant, 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. 247 of 2023, under Sections 379, 420, 467, 468, 471 & 411, I.P.C, Police Station- Saidpur District- Ghazipur, during pendency of the trial.
3. Counsel for the applicant submits that the applicant has been falsely implicated in the instant case. The applicant was not named in the F.I.R, there is no criminal antecedent in his credit. The accused-applicant was arrested while pillion rider and the applicant was not riding the vehicle. The applicant has not changed the registration number plate of the vehicle and has not fixed forged number plate at the motorcycle. The applicant is in jail since 25.08.2023, in case, he is enlarged on bail, he will not misuse the said liberty.
4. Learned A.G.A. has opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.
5. Having regard to the submissions made but without commenting on merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.
6. Let the applicant, **Krishandev Prasad @ Krishan Kumar**, 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.
7. 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 :- 28.10.2023

Vinod.