

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 43626 of 2023

Applicant :- Zameer Alias Chhidda

Opposite Party :- State of U.P.

Counsel for Applicant :- Mohd. Shaafi, Shujauddin

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma, J.

1. Heard Mr. Mohd. Shaafi, 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. 92 of 2023, under Sections 3 (1) of the U.P. Gangsters & Anti Social Activities (Prevention) Act, 1986, Police Station- Patwai, District- Rampur, during pendency of the trial.

3. Counsel for the applicant submits that the applicant has been falsely implicated in the instant case on false, fabricated and concocted allegations. He further contends that on the basis of one case of criminal history under Sections 3/5/8 of the Cow Slaughter Act, proceedings of Gangster Act has been lodged against the applicant. In addition to that **four other cases** of criminal history has been explained in para 07 of the affidavit. The applicant has no criminal antecedent to his credit except the cases mentioned in the affidavit. He is in jail since **04.09.2023**, 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, **Zameer Alias Chhidda**, 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 :- 7.11.2023

Vinod.