

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 43917 of 2023

Applicant :- Hanif

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Rakesh Kumar

Counsel for Opposite Party :- G.A., Santosh Kumar Shukla

Hon'ble Pankaj Bhatia, J.

1. Heard learned counsel for the applicant, Sri Sunil Verma holding brief of Sri Santosh kumar Shukla for the informant, learned A.G.A. and perused the record.

2. It is argued that the applicant was charged for introducing the seller and purchaser. It is further argued that the co-accused, which is marginal evidence to the accused, has been enlarged on bail vide order dated 28.10.2023. As the applicant does not have any criminal history and was charged of introducing and on the ground that the marginal witness has been enlarged on bail, the application is also entitled to be released on bail.

3. Learned A.G.A. vehemently opposed the bail prayer.

4. There is nothing on record to demonstrate that the applicant if enlarged on bail, would in any way adversely affect the trial and without expressing any opinion on merit, I am of the view that the applicant is entitled to be released on bail.

5. Accordingly, the bail application is **allowed**.

6. Let the applicant - Hanif be released on bail in Case Crime No.0274 of 2023, under Sections - 420/406/323/504/506/386/120B of I.P.C., P.S. - Rajpura, District - Sambhal, on his furnishing personal bonds and two reliable sureties of Rs.25,000/- each to the satisfaction of the 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 :- 6.11.2023

Irshad