

Court No. - 66

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 44031 of 2023

Applicant :- Sanjeev Saxena

Opposite Party :- State of U.P.

Counsel for Applicant :- Rajeev Kumar Singh Parmar

Counsel for Opposite Party :- G.A.

Hon'ble Ajay Bhanot,J.

By means of the bail application the applicant has prayed to be enlarged on bail in Case Crime No.753 of 2023 at Police Station-Kotwali Fatehgarh, District-Farrukhabad under Sections 506, 120B, 302 IPC. The applicant is in jail since 24.05.2023.

The bail application of the applicant was rejected by the learned trial court on 19.09.2023.

The following arguments made by Shri Rajeev Kumar Singh Parmar, learned counsel on behalf of the applicant, which could not be satisfactorily refuted by Shri Paritosh Kumar Malviya, learned AGA-I from the record, entitle the applicant for grant of bail:

1. The applicant is the husband of the deceased.
2. The relations of the applicant were estranged with his mother-in-law.
3. One Pradeep has been identified as the principal offender who killed the deceased.
4. The applicant has been assigned the role of conspiracy.

5. No evidence to connect the applicant with the offence of conspiracy.

6. The applicant does not have any criminal history apart from this case.

7. The applicant is not a flight risk. The applicant being a law abiding citizen has always cooperated with the investigation and undertakes to cooperate with the court proceedings. There is no possibility of his influencing witnesses, tampering with the evidence or reoffending.

In the light of the preceding discussion and without making any observations on the merits of the case, the bail application is allowed.

Let the applicant-Sanjeev Saxena be released on bail in the aforesaid case crime number, on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court below. The following conditions be imposed in the interest of justice:-

(i) The applicant will not tamper with the evidence or influence any witness during the trial.

(ii) The applicant will appear before the trial court on the date fixed, unless personal presence is exempted.

Order Date :- 17.10.2023

Ashish Tripathi