

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 46009 of 2023

Applicant :- Ashish

Opposite Party :- State of U.P.

Counsel for Applicant :- Mukesh Chandra Gupta, Shubham Prakash Gupta

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia, J.

1. Heard learned counsel for the applicant, learned AGA and perused the record.

2. The FIR was lodged against unknown persons. Subsequently, in another case where the applicant was apprehended, he has been linked with the offence in question. No recovery has been effected from the applicant.

3. Learned AGA has opposed the bail application.

4. Considering the fact that the FIR in question was lodged against unknown persons and *prima-facie*, the material to link the applicant with the offence in question is missing at this stage, the applicant who has no criminal antecedent prior to the offence in question, is entitled to be enlarged on bail. In view thereof, the application is ***allowed***.

5. Let the applicant ***Ashish*** be released on bail in FIR No.185 of 2023, under Section 394, 34 IPC, P.S. Pallavpuram, District Meerut on his furnishing a personal bond with two sureties of Rs.25,000/- each to the satisfaction of 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 :- 31.10.2023

nishant