

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 44832 of 2023

Applicant :- Santraj @ Santra

Opposite Party :- State of U.P.

Counsel for Applicant :- Rahul Kumar Sharma

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 first information report was lodged against four accused persons, including applicant, alleging therein that accused persons had tried to commit loot and with intention to kill fired upon the informant. After chasing one accused person was caught by the villagers and from his possession some intoxicated substance, a country made pistol and cartridges were recovered.

3. Learned counsel for the applicant submits that applicant earlier released on bail in the present matter in the year 2014, however the applicant had gone to Delhi for his livelihood and could not appear before the court concerned and due to his absence, N.B.W. was issued against him and when he came to know that coercive measures are being taken against him then he immediately surrendered before the court concerned and given an undertakings to cooperate with the trial. It is further submitted that applicant has no criminal antecedent except the present one and he is in jail since 13.3.2023.

4. Learned AGA has opposed the bail application.

5. Considering the facts and circumstances of the case, considering the statement couple with the fact that the applicant was on bail, he is entitled to be enlarged on bail. In view thereof, the application is allowed.

6. Let the applicant **Santraj @ Santra** be released on bail in FIR No. 392 of 2013, under sections 307 and 393 I.P.C., P.S. Hasayan, district-Hathras, on his furnishing a personal bond with two sureties of Rs.30,000/- 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 :- 1.11.2023

Faridul