

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 44893 of 2023

Applicant :- Pradumm Shukla

Opposite Party :- State of U.P.

Counsel for Applicant :- Praveen Kumar Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma,J.

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

2. By means of this bail application, applicant seeks bail in Case Crime No.08 of 2023, under Section 394 IPC, Police Station Narval, District Kanpur Nagar, during the pendency of trial.

3. It is submitted by learned counsel for the applicant that has been falsely implicated in the present case due to ulterior motive. With regard to the alleged incident nothing has been recovered from the applicant and also there is no independent witness in respect of the incident as alleged in the FIR. It has been further submitted that the police at police station Narval extorted the applicant which was refused by him, therefore, the applicant was booked in this case falsely. There is criminal history of four cases against the applicant which has been explained in paragraph-14 of the supplementary affidavit in which the applicant has already been enlarged on bail. There is no likelihood of his abscondence or tampering with the evidence. The applicant is languishing in jail since 25.01.2023. In the the applicant is released on bail, he will not misuse the said liberty.

4. The prayer for bail has been vehemently opposed by learned AGA. However, he could not dispute the aforesaid submission advanced by the counsel for the applicant.

5. Considering the facts, circumstances and the submissions made but without commenting on the merits of the case, this Court is of of opinion that the applicant is entitled to be enlarged on bail. Accordingly, the bail application is allowed.

6. Let the applicant - **Pradumm Shukla**, involved in the aforesaid

case crime be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to the conditions that he:

(i) shall appear on the date fixed by the trial court;

(ii) shall not tamper with the prosecution evidence;

(iii) shall not pressurize the prosecution witnesses;

(iv) shall appear before the concerned SHO on any date of the first week of every month regularly to show or establish his *bona fide* until further order of 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 :- 1.11.2023

Shahroz