

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 44693 of 2023

Applicant :- Manish Rajpoot

Opposite Party :- State of U.P.

Counsel for Applicant :- Sanjeev Kumar Khare

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia,J.

1. Heard learned counsel for the applicant as well as learned A.G.A. and perused the record.
2. In terms of the FIR, three persons carrying 10 kg 550 gram of Ganja were recovered from each of the accused. Three cases have been lodged against all the accused persons.
3. The contention of the Counsel for the applicant is that one of the co-accused Mukesh Kumar Rajpoot from whom similar quantity has been recovered, has been enlarged on bail by this Court vide order dated 12.10.2023. It is further argued that as the applicant has no criminal history and the recovery is below the commercial quantity, the applicant is entitled to be released on bail.
4. Learned A.G.A. vehemently opposed the bail prayer.
5. Considering the fact that the co-accused on similar allegation has been enlarged on bail, the recovery is below the commercial quantity and the applicant is in custody since 11.09.2023, I am of the view that the applicant is entitled to be released on bail.
6. Accordingly, the bail application is ***allowed***.
7. Let the applicant ***Manish Rajpoot*** be released on bail in FIR/ Case Crime No.271 of 2023, under Sections 8/20 of the NDPS Act, Police Station Kulpahar, District Mahoba on his furnishing personal bonds and two reliable sureties of the like amount 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 :- 31.10.2023

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