

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 44613 of 2023

Applicant :- Iqbal Ahmad @ Guddu

Opposite Party :- State of U.P.

Counsel for Applicant :- Janardan Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia,J.

Supplementary affidavit filed today is taken on record.

Order on Bail

1. Heard learned counsel for the applicant as well as learned A.G.A. and perused the record.
2. The applicant seeking enlargement on bail on the basis of a case instituted in the year 1999, wherein, two persons were accused of an offence under Essential Commodities Act. Earlier, the applicant approached this Court and the proceeding were stayed subsequently after the dismissal of the writ petition filed by the applicant, the applicant appeared and was denied the bail and he is in custody since 28.9.2023.
3. Counsel for the applicant argues that other co-accused continues to be on bail since the very inception and the trial court has not yet concluded the trial since the year 1999.
4. Learned A.G.A. vehemently opposed the bail prayer.
5. Considering the fact that the co-accused is already on bail as the allegations are similar to the co-accused, the applicant is entitled to be released on bail.
6. Accordingly, the bail application is allowed.
7. Let the applicant **Iqbal Ahmad @ Guddu** be released on bail in FIR/ Case Crime No. 164 of 1999, under Section 3/7 Essential Commodities Act, P.S. Saraima, District Azamgarh, on his furnishing personal bonds and two reliable sureties of Rs. 25,000/-

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

S.A.