

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 44888 of 2023

Applicant :- Nand Kishor @ Sintu

Opposite Party :- State of U.P.

Counsel for Applicant :- Rajneesh Tripathi

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia,J.

1. Supplementary affidavit filed today in Court is taken on record.
2. Heard learned counsel for the applicant, learned AGA and perused the record.
3. The FIR in question was lodged alleging that a theft had occurred at the house of the informant. The FIR was lodged against unknown persons. Subsequently, the applicant was apprehended and is in custody since 29.06.2023. Counsel for the applicant argues that the applicant was named in majorly two cases and was implicated in all the cases pending in the district without there being any material so as to implicate the applicant. The details are disclosed in Para - 13 of the bail application.
4. Learned AGA has opposed the bail application.
5. Considering fact that the FIR in question was lodged against unknown persons and *prima-facie*, other than the criminal cases said to be instituted against the applicant, there appears to be no material so as to link the applicant with the offence in question, as such, the applicant who is in custody since 29.06.2023 is entitled to be enlarged on bail. In view thereof, the application is ***allowed***.
6. Let the applicant ***Nand Kishor @ Sintu*** be released on bail in FIR No.652 of 2023, under Section 380, 457, 411 IPC, P.S. Highway, District Mathura 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 :- 1.11.2023

nishant