

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 45725 of 2023

Applicant :- Ritesh @ Dhauni

Opposite Party :- State of U.P.

Counsel for Applicant :- Arun Kumar Vishvakarma

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. Supplementary affidavit is taken on record.

2. It is argued by the Counsel for the applicant that the applicant was enlarged on bail in the year 2010. Subsequently, as the applicant was involved in another case and was in custody, he could not attend the present case which resulted in issuance of non-bailable warrant. Subsequently, when the applicant surrendered in the present case, he has been apprehended.

3. The Counsel for the applicant argues that the applicant did not appear in the present case as he was apprehended in another case, however, he undertakes to co-operate with the trial.

4. Learned A.G.A. vehemently opposed the bail prayer.

5. Considering the fact that the applicant was enlarged on bail and the undertaking given by him, 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 ***Ritesh @ Dhauni*** be released on bail in G.S.T. No.258 of 2010 arising out of Case Crime No.697 of 2009, under Section 2/3 of The Uttar Pradesh Gangsters and Anti-Social Activities (Prevention) Act, 1986, Police Station Delhi Gate, District Aligarh subject to furnishing two fresh sureties of Rs.30,000/- 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 :- 30.10.2023

akverma