

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 46494 of 2023

Applicant :- Sheetal

Opposite Party :- State of U.P.

Counsel for Applicant :- Kuldeep Singh Chahar, Kapil Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia, J.

1. Supplementary affidavit filed on behalf of applicant in the court today is taken on record.

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

3. The FIR in question was lodged against unknown persons regarding loot of gold, silver ornaments and cash. It was also mentioned in the FIR that accused persons with intention to kill the father of the informant assaulted him with saria and sabbal.

4. Learned counsel for the applicant submits that the applicant was not named in the first information report. His name as an accused in the present case surfaced in the confessional statement of co-accused. The amount of Rs. 6500/- was recovered from the applicant, which is not proved by any independent witness. It is also argued that similar role assigned to the co-accused persons namely, Lalit @ Khilona, Kaushal, Komal and Yuvraj Singh have already been enlarged on bail. It is further submitted that applicant has no criminal antecedent except the present one and he is in jail since 6.2.2023.

3. Learned AGA has opposed the bail application.

4. Considering the fact that the co-accused has been enlarged on bail, the applicant is entitled to be enlarged on bail on the ground of parity. In view thereof, the application is allowed.

5. Let the applicant **Sheetal** be released on bail in FIR No. 168 of 2022, under Sections 395, 397, 412 and 120B I.P.C., P.S. Kheragarh, district-Agra 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 :- 2.11.2023

Faridul