

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 45842 of 2023

Applicant :- Abujar

Opposite Party :- State of U.P.

Counsel for Applicant :- Dhiraj Kumar Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia,J.

1. Heard learned counsel for the applicant, learned AGA and perused the record.
2. The accused-applicant seeks bail in Case Crime No.293 of 2023 under sections 147, 148, 323, 352, 325, 336, 308, 504, 506 IPC, P.S. Nakur, District Saharanpur.
3. The FIR in question was lodged against seven known and one unknown persons. It is argued by the counsel for the applicant that no weapon was assigned to the applicant in the FIR. It is also argued that one of the co-accused Shahnazar who was assigned to be having weapon in his hand has been enlarged on bail by this Court on 19.10.2023 in Bail No.41637 of 2023. As regards the criminal antecedents, the same have been explained and the copies of the bail orders have been handed over across the bar.
4. Considering the general nature of the allegations levelled coupled with the fact that the applicant was not assigned the role of carrying any weapon and the co-accused who was assigned the role of carrying a weapon has been enlarged on bail, the applicant who is in custody since 23.08.2023 is entitled to be enlarged on bail. Thus, the bail application is allowed.
5. Let the applicant **Abujar** be released on bail in aforesaid first information report number subject to his furnishing a personal bond and two reliable sureties of Rs.25000/- (Twenty Five Thousand) each of the like amount 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

VNP/-