

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 45411 of 2023

Applicant :- Satish @ Gulfam And Another

Opposite Party :- State of U.P.

Counsel for Applicant :- Ashwini Kumar Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia,J.

1. Heard learned counsel for the applicants, learned AGA and perused the record.
2. The FIR in question was lodged against unknown persons for theft of ornament and some cash. Subsequently, applicants were implicated in the offence in question on confessional statement. Criminal history of the applicants has been explained in para 11 of the affidavit filed in support of the bail application. It is further argued that there are no chances of the applicants of fleeing away from the judicial process or tampering with the prosecution evidence. It is next contended by the learned counsel for the applicants that the applicants if enlarged on bail will not misuse the liberty of bail. The applicants are in jail since 13.10.2023.
4. Learned AGA has opposed the bail application.
5. Considering the fact that the applicants have been implicated in the crime in question only on the confessional statement and criminal history of the applicant has been duly explained in para 11 of the affidavit filed in support of the bail application, the applicants are entitled to be enlarged on bail. In view thereof, the application is allowed.
6. Let the applicants **Satish @ Gulfam & Vikas @ Atariya** be released on bail in FIR No.120 of 2022, under Section 380, 457 I.P.C., P.S. Adarsh Mandi, District Shamli, on their furnishing a personal bond with two sureties of Rs.25,000/- each to the satisfaction of court concerned with the following conditions:
 - (a) The applicants shall execute a bond to undertake to attend the hearings;
 - (b) The applicants shall not commit any offence similar to the offence of which he is accused or suspected of the commission; and
 - (c) The applicants 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 :- 3.11.2023

Sachin