

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 45788 of 2023

Applicant :- Mahesh

Opposite Party :- State of U.P.

Counsel for Applicant :- Vijay Tripathi, Girish Kumar

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.
2. The FIR in question was lodged against as many as 8 persons alleging that they are enticed the informant to part away the valuable security for getting the job in the Army. It is also stated that one of the co-accused Jaswant had in fact also given a cheque which was dishonored subsequently.
3. The Counsel for the applicant argues that no specific allegations were levelled against the applicant except by saying that the transaction took place at the house of the applicant. He further draws my attention to the subsequent statement of the informant and his father who alleged wrong doing against Jaswant and one Jitu alias Amit.
4. Learned A.G.A. vehemently opposed the bail prayer.
5. Considering the allegations levelled in the FIR as well as the subsequent statement, prima facie, there is no specific allegation against the applicant, the applicant has no criminal antecedents and is in custody since 24.09.2023, 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 ***Mahesh*** be released on bail in FIR/ Case Crime No.22 of 2023, under Sections 420, 467, 468, 471, 406, 120B, 323, 504, 506 IPC, Police Station Dauki, District Agra on his furnishing personal bonds and two reliable sureties of Rs.25,000/- 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 :- 31.10.2023

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