

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 46276 of 2023

Applicant :- Rohit Kumar @ Dhaanu

Opposite Party :- State of U.P.

Counsel for Applicant :- Nipun Singh, Abhay Mani Tripathi

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.488 of 2023 under sections 406, 420 and 411 IPC, P.S. Firozabad North, District Firozabad.
3. The FIR in question was lodged alleging that the informant had gone to withdraw the money from the ATM and subsequently, certain amounts were withdrawn from the ATM balance by some unknown persons. The applicant was not named in the FIR. Subsequently, on the basis of implication in another case, the applicant was apprehended and linked with the present offence in question. It is argued by the counsel for the applicant that substantial money was recovered from the applicant.
4. Considering the fact that the FIR was lodged against unknown persons and the recovery of petty amount primarily may not lead to punishment to the applicant with the offence in question and the applicant has no criminal history prior to the offence in question, the applicant who is in custody since 19.07.2023 is entitled for the bail. Thus the bail application is allowed.
5. Let the applicant **Rohit Kumar @ Dhaanu** 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 :- 2.11.2023

VNP/-