

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 45785 of 2023

Applicant :- Karan Raghav

Opposite Party :- State of U.P.

Counsel for Applicant :- Paritosh Sukla,Prakhar Shukla

Counsel for Opposite Party :- G.A.,Amit Shukla

Hon'ble Pankaj Bhatia,J.

1. Heard learned counsel for the applicant, learned AGA for the State, Mr. Amit Shukla, learned counsel for the informant and perused the record.
2. The FIR in question was lodged alleging that one Narendra Kumar had taken loan for purchase of Air Conditioner in favour of one Rakesh Kumar. Learned counsel for the applicant submitted that applicant is neither the beneficiary nor he has taken any loan nor he has any connection with the aforesaid persons. Learned counsel for the applicant next argued that applicant has a criminal history of three cases and the same has also been explained in para 17 of the affidavit filed in support of the bail application. It is further argued that there are no chances of the applicant of fleeing away from the judicial process or tampering with the prosecution evidence. It is next contended by the learned counsel for the applicant that the applicant if enlarged on bail will not misuse the liberty of bail. The applicant is in jail since 25.08.2023.
3. Per contra, learned A.G.A. as well as Mr. Amit Shukla, learned counsel for the first informant have vehemently opposed the bail application by submitting that on the search made by the authority concerned, pan cards were recovered from the possession of the applicant which, prima-facie, show the involvement of the applicant in the crime in question.
4. Considering the fact that the applicant has no concern to the Narendra Kumar and Rakesh Kumar and coupled with the fact that applicant is in jail since 25.08.2023 and criminal history of the applicant has been explained, 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 **Karan Raghav** be released on bail in FIR No.712 of 2023, under Sections 420, 467, 468, 471 IPC, P.S. Kotwali Nagar, District Bulandsahar, 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 :- 31.10.2023

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