

Court No. - 74

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 46082 of 2023

Applicant :- Faster Abhishek Kumar

Opposite Party :- State of U.P.

Counsel for Applicant :- Sudhir Kumar Agarwal

Counsel for Opposite Party :- G.A.

Hon'ble Vivek Varma,J.

1. Heard learned counsel for the applicant and learned A.G.A. for the State-opposite party.
2. The instant bail application under Section 439 Cr.P.C. has been filed with the prayer to enlarge the applicant on bail in Case Crime No. 282 of 2023, under Sections 3(5)(1) of U.P. Prohibition of Unlawful Conversion of Religion, 2021, Police Station Prem Nagar, District Jhansi during the pendency of the trial.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the instant case. The applicant neither persuaded nor converted any individual to another faith. At present there is no cogent evidence to link the applicant with the offence. The applicant is in jail since 29.07.2023 having no criminal history and if he is released on bail, he will not misuse the said liberty.
4. Learned A.G.A. has opposed the prayer for bail.
5. Having heard learned counsel for the parties and after perusal of the record, this Court prima facie finds that at present there is no substantive evidence against the applicant. The applicant has no criminal antecedents. Moreover, the applicant has remained confined for almost three months and after submission of the charge-sheet there is no hope of early conclusion of trial, and no reasonable apprehension has been brought to the fore by the State that the applicant, if enlarged on bail, would either tamper with the evidence or delay the trial or intimidate the witness, therefore, without commenting on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.
6. Let the applicant- **Faster Abhishek Kumar** involved in the aforesaid case, be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of Court concerned subject to the conditions that he:

- (i) shall appear on the date fixed by the trial court;
- (ii) shall not tamper with the prosecution evidence; and,
- (iii) shall not pressurize the prosecution witnesses.

7. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

Order Date :- 1.11.2023
SFH