

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 46097 of 2023

Applicant :- Dataram Alias Dada Ram And Another

Opposite Party :- State of U.P.

Counsel for Applicant :- Surya Mani Tripathi, Manoj Kumar Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia, J.

1. Heard learned counsel for the applicants as well as learned A.G.A. and perused the record.
2. It is argued by counsel for the applicants co-accused at whose pointing out money has been recovered has been enlarged on bail.
3. The applicants have no previous criminal history.
4. Learned A.G.A. vehemently opposed the bail prayer.
5. As the recovery is not in presence of any independent witness, the co-accused has been enlarged on bail and applicants have no criminal, the applicants are also enlarged on bail and there is nothing on record to demonstrate that the applicants if enlarged on bail, would in any way adversely affect the trial and without expressing any opinion on merit, I am of the view that the applicants are entitled to be released on bail.
6. Accordingly, the bail application is allowed.
7. Let the applicants **Dataram Alias Dada Ram and Jadav** be released on bail in FIR/ Case Crime No. 598 of 2023, under Sections 392, 411, 34 IPC, P.S. Shahpur, District Gorakhpur, on their 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 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 they are 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 :- 21.11.2023

S.A.