

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 46470 of 2023

Applicant :- Mohit

Opposite Party :- State of U.P.

Counsel for Applicant :- Sandeep Kumar Singh

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 FIR in question was lodged against five known and 50 - 60 unknown persons. The applicant was not named in the FIR. Subsequently, on the basis of the statement of one of the co-accused, the applicant was apprehended with the offence in question. It is argued that two co-accused have been enlarged on regular bail and five co-accused have been granted anticipatory bail.

3. Learned AGA has opposed the bail application.

4. Considering the fact that the applicant was not named in the FIR and the criminal antecedents of the applicant has been explained in Para - 19 wherein he is on bail, the applicant is entitled to be enlarged on bail. In view thereof, the application is **allowed**.

5. Let the applicant **Mohit** be released on bail in FIR No.827 of 2017 under Section 147, 148, 149, 323, 308, 332, 333, 353, 341, 427 IPC, Section 3/4 of Prevention of Damages to Public Properties Act & Section 7 of Criminal Law (Amendment) Act, P.S. Baghpat, District Baghpat 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 :- 2.11.2023

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