

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 46399 of 2023

Applicant :- Mukesh Verma @ Tittu

Opposite Party :- State of U.P.

Counsel for Applicant :- Sandeep Kumar Gupta

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 alleging that two unknown persons came to the shop of the informant and committed loot of certain valuable articles from the shop. Subsequently, on information received from the informant and alleged recovery of one idol, the applicant has been implicated with the offence in question.
3. Contention of learned counsel for the applicant is that the applicant had gone to the shop of the informant for purchasing certain jewellery and the recovery shown is not only in violation of Section 100 Cr.P.C., but also without evidence that the goods belong to the informant. The criminal antecedents of the applicant have been explained in Para - 4 of the Supplementary Affidavit.
4. Learned AGA has opposed the bail application.
5. Considering the fact that the applicant was not named in the FIR and there is material to demonstrate that the applicant, if enlarged on bail, can adversely affect the trial, the applicant is entitled to be enlarged on bail. In view thereof, the application is **allowed**.
6. Let the applicant **Mukesh Verma @ Tittu** be released on bail in FIR No.102 of 2023, under Section 392, 342 & 411 IPC & Section 3/25, 4/25 of Arms Act, P.S. Lal Kurti, District Meerut 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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