Court No. - 44
Case :- CRIMINAL MISC. BAIL APPLICATION No. - 46417 of 2023
Applicant :- Shubham
Opposite Party :- State of U.P.
Counsel for Applicant :- Girish Kumar Yadav
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 unknown persons alleging theft. Subsequently, it is alleged that recovery of one Pajeb was shown from the applicant. It is argued that the recovery is not in terms of the mandate of Section 100 Cr.P.C. The criminal antecedent of the applicant has been explained in Para - 22 of the bail application.

3. Learned AGA has opposed the bail application.

4. Considering the fact that the recovery is not in accordance with the mandate of Section 100 Cr.P.C., and the applicant was not named in the FIR, the applicant is entitled to be enlarged on bail. In view thereof, the application is ***allowed.***

5. Let the applicant ***Shubham*** be released on bail in FIR No.479 of 2023, under Section 454, 380, 411 IPC, P.S. Civil Lines, District Moradabad 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
nishant

Digitally signed by :-
NISHANT MOHAN
High Court of Judicature at Allahabad