

**Court No. - 44**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 46438 of 2023

**Applicant :-** Pradeep Kumar Saini

**Opposite Party :-** State of U.P.

**Counsel for Applicant :-** Kapil Tiwari

**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 on 26.09.2023 alleging that on 24.09.2023 one Amit Prajapati alongwith three unknown persons had demanded a ransom of Rs.25 Lakh for the son of the informant. Subsequently, the statement of the informant was recorded on 26.09.2023 wherein he stated the name of the applicant for the first time and also alleged that three persons, including the applicant, had taken away son of the informant and had threatened to kill him if an amount of Rs.25 Lakh is not paid. It was also stated that when the informant refused to part with the said money, the accused threatened him and later on at about 2:30 PM, all the three persons left the son of the informant and ran away.
3. Contention of learned counsel for the applicant is that the FIR in question was lodged after two days without there being any valid explanation for the delay as admittedly, the informant was aware of the incident on the date of the incident i.e. 24.09.2023. The applicant has no criminal antecedent.
4. Learned AGA has opposed the bail application.
5. Considering the fact that the delay in the present case has not been explained, the applicant, who has no criminal antecedent and was not named in the FIR, is entitled to be enlarged on bail. In view thereof, the application is ***allowed***.
6. Let the applicant ***Pradeep Kumar Saini*** be released on bail in FIR No.522 of 2023, under Section 386, 342, 506 IPC, P.S. Chandausi, District Sambhal 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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