

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 46561 of 2023

Applicant :- Ratan Singh

Opposite Party :- State of U.P.

Counsel for Applicant :- Manish Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma, J.

1. Heard Sri Manish Kumar, learned counsel for the applicant, learned AGA for the State and perused the record.

2. The instant bail application has been filed with a prayer to enlarge the applicant on bail in Case Crime No. 42 of 2023, under Sections 8/20/29 N.D.P.C Act, Police Station- Beeta - 2, District Gautam Buddha Nagar, during the pendency of trial.

3. Learned Counsel for the applicant submits that the applicant has been falsely implicated in the instant case without commission of offence. The applicant has explained one criminal history in para 11 of the application. The proceedings of Gangsters Act has also been lodged against the applicant, in which the applicant is also in jail. There is no reference of the name of the applicant in the F.I.R or any confessional statement of the co-accused Sajan, the name of the applicant came into picture. Learned counsel lastly submitted that the co-accused Smt. Firoza @ Mami, Yogesh Yadav and Azad have already been granted bail by Co-ordinate Bench of this Court in ***Criminal Misc. Bail Application Nos. 8960 of 2023, 19137 of 2023 and 16845 of 2023***, vide orders dated 28.08.2023, 21.09.2023 and 31.07.2023, respectively. The applicant claims parity. He is in jail since 22.02.2023, in case he is enlarged on bail, he will not misuse the said liberty.

4. Learned AGA has opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions made by the counsel for the applicant.

5. Having regard to the submissions made but without commenting on merits of the case, this Court is of opinion that the applicant is entitled to be enlarged on bail.

6. Let the applicant - Ratan Singh, involved in the aforesaid case crime be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to the conditions

that he:

- (i) shall appear on the date fixed by the trial court;
- (ii) shall not tamper with the prosecution evidence;
- (iii) shall not pressurize the prosecution witnesses.

7. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

Order Date :- 30.11.2023

Vinod.