

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 46886 of 2023

Applicant :- Amit

Opposite Party :- State of U.P.

Counsel for Applicant :- Farid Ahmad

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia,J.

1. Heard learned counsel for the applicant as well as learned A.G.A. and perused the record.

2. The FIR in question was lodged as a missing person report. Subsequently, in the statement under Section 164 of Cr.P.C., the victim stated that she had gone out of her own freewill along with the applicant at Delhi. She also stated that nothing was done by the applicant.

3. The Counsel for the applicant argues that the applicant has been falsely implicated in this case. He has no criminal antecedents and is in custody since 14.03.2023.

4. Learned A.G.A. vehemently opposed the bail prayer.

5. Considering the statement under Section 164 of Cr.P.C. and the fact that the applicant does not have any criminal antecedent and is in custody since 14.03.2023, I am of the view that the applicant is entitled to be released on bail.

6. Accordingly, the bail application is ***allowed***.

7. Let the applicant ***Amit*** be released on bail in FIR/ Case Crime No.90 of 2023, under Sections 363, 366 IPC, Police Station Gunnaur, District Sambhal on his furnishing personal bonds and two reliable sureties of Rs.25,000/- each to the satisfaction of the 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 :- 3.11.2023

akverma