

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 48257 of 2023

Applicant :- Muneel Kumar Yadav

Opposite Party :- State of U.P.

Counsel for Applicant :- Sourabh Pathak, Shipra Singh

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. In terms of the FIR, it was alleged that one Amit Kumar named in the FIR had enticed the informant to part with Rs.30,000/- for getting a job in the Assam Rifle. The name of the applicant was not in the FIR. Subsequently, in the statement under Section 161 of Cr.P.C., it was stated that Amit Kumar, the main accused had informed that he is doing the same with one Manil.

3. The Counsel for the applicant argues that the applicant has been falsely implicated solely based upon the statement under Section 161 of Cr.P.C. of the informant and there being no other material to link the applicant with the offence in question, the applicant has been arrested. The criminal history of the applicant has been duly explained in para 12 of the bail application.

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

5. Considering the fact that the applicant was not named in the FIR and the name of the applicant has been disclosed in the statement under Section 161 of Cr.P.C., I am of the view that the applicant is entitled to be released on bail. Accordingly, the bail application is ***allowed.***

6. Let the applicant ***Muneel Kumar Yadav*** be released on bail in FIR/ Case Crime No.152 of 2023, under Sections 140, 406, 420, 467, 468, 471 IPC, Police Station Salempur, District Bulandshahr 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 :- 8.11.2023

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