

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 47265 of 2023

Applicant :- Sunil Kumar

Opposite Party :- State of U.P.

Counsel for Applicant :- Diwakar 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. In terms of the FIR, it was alleged that on the basis of a search carried out in premises, certain arms were recovered. The applicant was also named in the FIR. Contention of counsel for the applicant is that he had nothing to do with the premises with the question and he was a passer-by who had gone to purchase milk and was wrongly implicated. The applicant has no criminal antecedent and nothing has been recovered from the applicant.

3. Learned AGA has opposed the bail application.

4. Considering the fact that no recovery was effected from the applicant and he is not the owner of the premises or in any way connected with the same coupled with the fact that he has no criminal antecedent, the applicant is entitled to be enlarged on bail. In view thereof, the application is **allowed**.

5. Let the applicant **Sunil Kumar** be released on bail in FIR No.564 of 2023, under Section 5/25 of Arms Act, P.S. Sasnigate, District Aligarh 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 :- 6.11.2023/nishant