Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 47536 of 2023

Applicant :- Akash Kumar
Opposite Party :- State of U.P.
Counsel for Applicant :- Ashutosh Kumar Singh,Akhilendra Kumar Yadav,Arvind Singh Patel
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 four persons named in the FIR were apprehended along with the motorcycle and mobile phone which were allegedly stolen from the others.

3. The counsel for the applicant argues that the recovery was not in presence of any independent witnesses and the applicant has no criminal history prior to the offence in question.

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

5. Considering the fact that the recovery is prima face, was not in presence of any independent witnesses and the applicant has no criminal criminal history prior to the offence in question, without expressing any opinion on merit, 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 **Akash Kumar** be released on bail in FIR/ Case Crime No. 354 of 2023, under Sections 411, 413, 414, 420, 467, 468, 471 IPC, P.S. Karchhana, District Prayagraj, 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 :- 7.11.2023
S.A.

Digitally signed by :-
SALMAN AHMAD
High Court of Judicature at Allahabad