

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 47087 of 2023

Applicant :- Surya @ Monti

Opposite Party :- State Of U.P. Through Its Principal Secretary
(Home)Lucknow

Counsel for Applicant :- Atul Kumar

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. The accused-applicant seeks bail in Case Crime No.178 of 2023 under sections 420, 386, 506 IPC, P.S. Meerapur, District Muzaffar Nagar.
3. The FIR in question was lodged alleging that the informant was the landlord of the applicant and the premises was got vacated at the instance of the informant. Subsequently, the applicant started blackmailing the wife of the informant on the ground that he has inappropriate photographs which he would make viral. It is alleged that an amount of rupees eleven lacs and odd was paid to the applicant by the informant's wife. It was also alleged that the applicant used to issue threats against the child of the informant.
4. The counsel for the applicant argues that certain amounts were advanced by the applicant to the informant, which was paid in several installments of very small amounts, to the applicant as is clear from the perusal of the statements of account. It is argued that the entire amount was not paid and to avoid any further payment, the FIR in question was lodged.
5. From the perusal of the statements of account, primarily very small amounts came to the benefit of the applicant. The statements of account do not correlate the payment of rupees eleven lacs, as alleged in the FIR. Even otherwise, it is argued by the counsel for the applicant that as to why the applicant would take ransom amount in his account. All these statements are in the realm of the investigation and trial. As regards the criminal history, there is no case pending against the applicant.
6. Considering the fact that there is no material in the case diary for recovery of any offending photographs, coupled with the fact

that there is nothing on record to demonstrate that the applicant if enlarged on bail can adversely affect the trial, the applicant is entitled for the bail. Thus, the bail application is allowed.

7. Let the applicant **Surya @ Monti** be released on bail in aforesaid first information report number subject to his furnishing a personal bond and two reliable sureties of Rs.25000/- (Twenty Five Thousand) each of the like amount 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 :- 6.11.2023

VNP/-