

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 48072 of 2023

Applicant :- Ajeet Singh

Opposite Party :- State of U.P.

Counsel for Applicant :- Irshad Husain, Aushim Luthra, Sr. Advocate

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma, J.

1. Heard Sri Manish Tewari, learned senior counsel assisted by Sri Aushim Luthra, learned counsel for the applicant, learned AGA for the State and perused the record.

2. The instant bail application has been filed with a prayer to enlarge the applicant on bail in Case Crime No.588 of 2023, under Sections 420, 467, 468, 471 IPC, Section 66D IT Act, Section 3/4 Public Gambling Act and Section 4/13 of the Foreign Exchange Management Act (FEMA), Police Station Sector-39, District Gautam Budh Nagar, during the pendency of trial.

3. Learned counsel for the applicant contends that the applicant has been falsely implicated in the present case. It is further contended that the applicant alongwith his friends was watching a cricket match (Ravanda v/s Tanzania) in a flat where they were raided and arrested for the alleged offence that they were gambling and betting. Though some laptops and some mobile phones etc. have been recovered from possession of the applicant but no data has been received regarding gambling or betting. It can be said that it could be maximum a case under the Gambling Act; it does not attract Sections 420, 467, 468, 471 IPC and Section 66D IT Act. There is no criminal history against the applicant. There is no likelihood of his abscondence or tampering with the evidence. The applicant is in jail since 25.08.2023. In case the applicant is enlarged on bail, he will not misuse the said liberty.

4. Learned AGA has vehemently opposed the bail application but he could not dispute the aforesaid submissions advanced by the learned counsel for the applicant.

5. Having regard to the facts, circumstances and the submissions

made but without commenting on merits of the case, this Court is of opinion that the applicant is entitled to be enlarged on bail. Accordingly, the bail application is allowed.

6. Let the applicant - **Ajeet Singh**, involved in the aforesaid case crime be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to the conditions that he:

(i) shall appear on the date fixed by the trial court;

(ii) shall not tamper with the prosecution evidence;

(iii) shall not pressurize the prosecution witnesses.

7. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

Order Date :- 29.11.2023

Shahroz