

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 48279 of 2023

Applicant :- Mohd. Akhtar

Opposite Party :- State of U.P.

Counsel for Applicant :- Gyanendra Kumar Gyani, Sai Girdhar

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.405 of 2023 under sections 457, 380, 411, 413, 34 IPC, P.S. Phoolpur, District Azamgarh.
3. The FIR in question was lodged against unknown persons. Subsequently, on the basis of the information received, three persons were implicated with the offence in question namely Monu, Panchu, Shahbaz, who in turn alleged that the applicant was helping the said three persons with the two other persons. It is informed at the bar that Monu who had taken the name of the applicant has been enlarged on bail by this court vide order dated 08.11.2023 and no recovery was effected from the applicant.
4. Considering the fact that the applicant was not named in the FIR and no recovery has been effected from him and his name surfaced only in the statement of the co-accused who has been enlarged on bail and the criminal history has been explained in para 24 of the bail application, the applicant is entitled for the bail. Thus the bail application is allowed.
5. Let the applicant **Mohd. Akhtar** 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 :- 9.11.2023

VNP/-