

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 49191 of 2023

Applicant :- Matroo

Opposite Party :- State of U.P.

Counsel for Applicant :- Anil Kumar Tiwari

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. The FIR in question was lodged against as many as 7 named and 20-25 unknown persons. The applicant was not named in the FIR. Subsequently, on a confessional statement, the applicant was implicated with the offence in question. The criminal history of the applicant has been duly explained through supplementary affidavit filed today. The same is taken on record.

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

4. Considering the fact that the applicant has been linked with the offence in question solely based upon the statement of the eyewitness coupled with the fact that the co-accused, namely, Praveen, who was also not named in the FIR has been enlarged on bail vide order dated 08.11.2023, I am of the view that the applicant is entitled to be released on bail. Accordingly, the bail application is **allowed**.

5. Let the applicant **Matroo** be released on bail in FIR/ Case Crime No.702 of 2023, under Sections 147, 148, 149, 323, 504, 506, 332, 333, 353, 307 IPC, Police Station Banda, District Shahjahanpur 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 :- 20.11.2023

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