

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 50071 of 2023

Applicant :- Munesh Chand

Opposite Party :- State of U.P.

Counsel for Applicant :- Rahul Tiwari,D.M.Tripathi

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma,J.

1. Heard Sri DM Tripathi, learned counsel for the applicant, learned AGA for the State who has filed counter affidavit which is taken on record and perused the record.

2. By means of this bail application, applicant seeks bail in Case Crime No.737 of 2023, under Sections 420, 467, 468 IPC, Police Station Loni, District Ghaziabad, during the pendency of trial.

3. It is submitted by learned counsel for the applicant that the applicant has been falsely implicated in the present case. Learned counsel for the applicant further contends that the applicant had a contract with UCO Bank and the alleged recovered materials were there in connection with the affairs of the UCO Bank. However, as per records, 14 forged birth certificates and 05 aadhar cards and other electronic devices were found. There is no previous criminal case against the applicant. There is no likelihood of his abscondence or tampering with the evidence. The applicant is languishing in jail since 04.09.2023. In case the applicant is released on bail, he will not misuse the said liberty.

4. The prayer for bail has been vehemently opposed by learned AGA. However, the aforesaid factual aspects could not be disputed by him.

5. Considering the facts, circumstances and the submissions made but without commenting on the merits of the case, this Court is of opinion that the applicant has made out a fit case for bail. Accordingly, the bail application is allowed.

6. Let the applicant - **Munesh Chand**, 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 :- 8.12.2023
Shahroz