

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 50073 of 2023

Applicant :- Room Singh

Opposite Party :- State of U.P.

Counsel for Applicant :- Ashish Srivastava, Vikendra Kumar Srivastav

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma, J.

1. Heard learned counsel for the applicant, learned AGA for the State and perused the record.
2. By means of this bail application, applicant seeks bail in Case Crime No.141 of 2008, under Sections 363, 366, 368, 506 IPC, Police Station Paraur, District Shahjahanpur, during the pendency of trial.
3. It is submitted by learned counsel for the applicant that the applicant is innocent and has been falsely implicated in the present case. Relying on the deposition of the informant and the victim learned counsel further contends that they both have not supported the prosecution version, therefore, it can be said that there is no force against the applicant in this case. There is no previous criminal history of the applicant. There is no likelihood of his abscondence or tampering with the evidence. The applicant is languishing in jail since 19.07.2023. 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 submissions advanced by the counsel for the applicant could not be disputed by him.
5. Considering the facts, circumstances and the submissions made by learned counsel for the parties but without commenting on the merits of the case, this Court is of the view that the applicant has made out a case for grant of bail. Accordingly, the bail application is allowed.
6. Let the applicant - **Room 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 :- 1.12.2023
Shahroz