

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 7497 of 2023

Applicant :- Ranjeet Nishad @ Pappu Nishad

Opposite Party :- State Of U.P. Thru. Addl. Chief Secy. Home Lko.

Counsel for Applicant :- Shantanu Sharma,Amitesh Pratap Singh,Anshuman Sharma,Athar Ali,Gyanendra Singh,Suresh Chandra Srivastava

Counsel for Opposite Party :- G.A.,Anil Kumar Upadhyay

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Amitesh Pratap Singh, the learned counsel for the applicant, Sri Sanjay Maurya, the learned AGA for the State and perused the records.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 17 of 2023, under Sections 147, 148, 149, 386, 506 IPC, Police Station Murtiha, District Bahraich.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 07.02.2023 against four named persons, including the applicant and 25-26 unknown persons, alleging that the informant had taken a fishery pond for a lease executed for a period of 10 years. On 16.01.2023, the applicant went to the bond along with other co-accused persons, threatened the informant's employees and demanded Rs. 20 lakh as Goonda Tax.
4. In the affidavit filed in support of bail application it has been stated that there is some monetary dispute between the parties due to which the informant has falsely implicated the applicant.
5. The State has filed counter affidavit disclosing the applicant's involvement in 17 other cases. In the rejoinder affidavit filed on behalf of the applicant, it has been stated that 4 cases have been mentioned in the counter affidavit wrongly and the applicant is not involved in those cases and in remaining 13 cases, the applicant has been granted bail.
6. The learned counsel for the applicant has further submitted the one of the co-accused persons Golu Nishad has been granted anticipatory bail by means of an order dated 03.10.2020

passed by the Sessions Judge, Bahraich

7. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.

8. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the incident is said to have occurred on 16.01.2023 whereas the FIR has been lodged on 07.02.2023; apparently no person has received any injury in the incident and the applicant claims that there is monetary dispute between the parties and that a co-accused person has already been granted anticipatory bail and without making any observation, which may affect the merits of the case, I am of the view that the aforesaid facts are sufficient for making out a case for enlargement of the applicant on bail in the aforesaid crime.

9. Accordingly, this bail application stands ***allowed***.

10. Let the applicant-***Jaymurat-Ranjeet Nishad @ Pappu Nishad*** be released on bail in Case Crime No. 17 of 2023, under Sections 147, 148, 149, 386, 506 IPC, Police Station Murtiha, District Bahraich on furnishing a personal bond and two sureties each in the like amount to the satisfaction of magistrate/court concerned, subject to following conditions:-

- (i) the applicant shall not tamper with the prosecution evidence;
- (ii) the applicant shall not pressurize the prosecution witnesses;
- (iii) the applicant shall appear on each and every date fixed by the trial court.

Order Date :- 26.10.2023

Pradeep/-