

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 11766 of 2023

Applicant :- Vikram Singh @ Sonu

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home, Civil Sectt. Lko.

Counsel for Applicant :- Anil Kumar Sharma

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Anil Kumar Sharma, learned counsel for the applicant, Sri Amitabh Chaturvedi, learned A.G.A. for the State and perused the records. Supplementary affidavit filed today is taken on record.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 449 of 2019, under Sections 398, 401, 414 I.P.C., registered at Police Station Krishna Nagar, District Lucknow.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 13.08.2019 against three persons, including the applicant, alleging that the police had apprehended the accused persons on the basis of information received from a mukhbir while they were engaged in making plans for committing robbery. Rs.50,000/- a country made pistol and a live cartridge are said to be recovered from the possession of the applicant.

4. In the affidavit filed in support of bail application, it has been stated that the applicant is innocent, and he has been falsely implicated in the present case. Applicant's involvement in 21 cases has been disclosed in the affidavit, 12 of which were lodged prior to his arrest and in rest of the 9 cases, the applicant has been implicated after his arrest. The applicant has already been granted bail in 17 cases.

5. One of the co-accused person-Ritesh Rastogi @ Rinku has been granted bail by means of the order dated 11.08.2022 passed in Criminal Misc Bail Application No.8909 of 2021.

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

7. Having considered the aforesaid facts and circumstances of the case and coupled with the fact that the applicant is languishing in jail since 13.08.2019 without any progress in the trial 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.

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

9. Let the **applicant-Vikram Singh @ Sonu** be released on bail in the aforesaid case 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.

(Subhash Vidyarthi, J.)

Order Date :- 12.10.2023
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