

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12149 of 2023

Applicant :- Sameer Khan @ Sarifuddin

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

Counsel for Applicant :- Shahid Salam, Kavita Mishra, Mohd. Mateen, Rani Vijay Laxmi Singh

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Mohd. Mateen, the learned counsel for the applicant, Ms. Ankita Tripathi, the learned A.G.A. 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. 429 of 2017, under Sections 307/506/147/148 I.P.C., registered at Police Station Kant, District Faizabad.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 18.12.2017 against two named accused persons and two unnamed accused persons stating that all the accused persons had fired at the informant.
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. The applicant's involvement in 15 other cases has been disclosed in para 13 of the affidavit filed in support of the bail application, in all of which he has been granted bail. The named co-accused persons Sanjay Singh and Vinod Singh and three other co-accused persons have been granted bail by this court.
5. The learned A.G.A. has opposed the prayer for bail but he

could not dispute the aforesaid aspects of the matter.

6. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the applicant is not named in the F.I.R.; that initially the informant has stated that the incident was given effect to by four persons only whereas subsequently he improved his case and has implicated six persons, including the applicant and all the other persons have already been granted bail, whereas the applicant is languishing in jail since 21.10.2018 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.

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

8. Let the **applicant- Sameer Khan @ Sarifuddin** 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 :- 1.11.2023

Ram.