

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12177 of 2023

Applicant :- Irfan

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

Counsel for Applicant :- Afrin Bano, Mohammad Shamim

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Ms. Afrin Bano, the learned counsel for the applicant, Sri Manish Kumar Pandey, the learned A.G.A.-I 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.0460 of 2020, under Sections 394, 506 I.P.C., registered at Police Station Kandhai, District Pratapgarh.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 15.10.2020 alleging a robbery committed by three unknown miscreants riding on a motorcycle.
4. In the affidavit filed in support of bail application it has been stated that the applicant is innocent, he has been falsely implicated in the present case and he has no previous criminal history. The applicant was arrested on 18.10.2020 in connection with Case Crime No.938 of 2020, under Sections 392, 411 I.P.C. Police Station Kotwali Nagar, District Pratapgarh, in which he has been granted bail by means of an order dated 12.04.2021 passed by the Special Judge, SC/ST Act, Pratapgarh.
5. Learned counsel for the applicant has submitted that after his arrest in the aforesaid case the applicant has been implicated in

several other cases mentioned in para 14 of the affidavit. The applicant has been granted bail in five cases but he continues to remain in jail since 18.10.2020.

6. Learned counsel for the applicant has further submitted that nothing has been recovered from the possession of the applicant or on his pointing out.

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 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.

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

9. Let the **applicant-Irfan** be released on bail in Case Crime No.0460 of 2020, under Sections 394, 506 I.P.C., registered at Police Station Kandhai, District Pratapgarh 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 :- 12.10.2023
Ram.