

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12172 of 2023

Applicant :- Sandeep @ Deepu

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

Counsel for Applicant :- Sumit Chauhan

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Sumit Chauhan, the learned counsel for the applicant, Sri Sanjay Maurya, 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 an FIR bearing Case Crime No. 552 of 2017, under Sections 394, 411 IPC, Police Station Gola, District Lakhimpur Kheri.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 04.11.2017 alleging commission of robbery by three unknown persons.
4. In the affidavit filed in support of the application it has been stated that the applicant is innocent, he has been falsely implicated in the present case and that he has no criminal history.
5. Two co-accused persons Sreedhar and Sajay Kumar have already been granted bail in the present case by means of an order dated 25.04.2019 and 13.05.2019 passed by this Court in Bail Application Nos. 2715 of 2018 & 3615 of 2018.
6. A supplementary affidavit has been filed on behalf of the applicant annexing therewith a copy of the questionnaire and relevant extract of the order sheet of the trial court which shows that even the examination of PW-1 has not been completed till date. The applicant is languishing in jail since 16.11.2017.
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 coupled with the fact that the applicant has no previous criminal history and he is languishing in jail since

16.11.2017 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-***Sandeep @ Deepu*** be released on bail in Case Crime No. 552 of 2017, under Sections 394, 411 IPC, Police Station Gola, District Lakhimpur Kheri 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 :- 16.10.2023

Pradeep/-