

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12241 of 2023

Applicant :- Hifzurrahman

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

Counsel for Applicant :- Firoz Ahmad Khan

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Firoz Ahmad Khan, the learned counsel for the applicant as well as Sri Gyanendra Singh, the learned A.G.A. for the State and perused the record.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 201 of 2023, under Section 406, 420, 411 I.P.C., registered at Police Station Jahangeerganj, District Ambedkar Nagar.
3. The aforesaid case has been registered on the basis of F.I.R. lodged on 06.08.2023 against the applicant and one Mohd. Irfan, alleging that the co-accused Mohd. Irfan had taken money from the informants in the name of getting visas issued to them. The F.I.R alleges that the applicant is an associate of the co-accused persons.
4. In the affidavit filed in support of the bail application, it has been stated that the applicant is innocent, he has been falsely implicated in the present case and he has no criminal history.
5. The learned A.G.A. has opposed the bail application and he has submitted a passport of one Saddam has been recovered from the applicant's possession. Saddam is not an informant in the present case.
6. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that apart from stating that the applicant is an associate of the co-accused, no specific allegation of any act of commission upon the applicant has been alleged by the informants , coupled with the fact that the applicant has no criminal history and he is languishing in jail since 07.08.2023 and without making any observations 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.

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

8. Let the applicant- **Hifzurrahman** 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 the 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 :- 13.10.2023
Preeti.