

**Court No. - 16**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 12418 of 2023

**Applicant :-** Chetram

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

**Counsel for Applicant :-** O.P. Tiwari

**Counsel for Opposite Party :-** G.A.

**Hon'ble Subhash Vidyarthi,J.**

1. Heard Sri O.P. Tiwari, learned counsel for the applicant, Sri Shaunak Singh, 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. 169 of 2023, under Sections 392, 411 I.P.C., registered at Police Station Behta Mujawar, District Unnao.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged by a Sub Inspector on 07.09.2023 against the applicant and one Lucky Babu @ Sheebu alleging that the police had apprehended the accused persons on the basis of an information received from a mukhbir and a mobile phone and Rs.500/- were recovered from the applicant and Rs.610/- and ATM card and a sim card were recovered from the other accused person. As per the F.I.R. the accused person confessed having given effect to an incident of robbery of Rs.6,000/-.

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 another case bearing Case Crime No.104 of 2018, under Sections 457, 380, 411 I.P.C. Police Station Fatehpur Chaurasi, District Unnao has been disclosed in para 12 of the affidavit, in which he has been granted bail by learned sessions 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 has been implicated on the basis of his alleged custodial confessional statement regarding a robbery committed by him in respect of which no F.I.R. has been lodged and besides his custodial confessional statement there no other material to implicate the applicant in the aforesaid coupled with the fact that the applicant is languishing in jail since 07.09.2023 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-Chetram** be released on bail in Case Crime No. 169 of 2023, under Sections 392, 411 I.P.C., registered at Police Station Behta Mujawar, District Unnao 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 :- 18.10.2023**  
Ram.