

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12488 of 2023

Applicant :- Mohammad Aleem @ Pappu

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

Counsel for Applicant :- Rahul Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Rahul Mishra, 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. 243 of 2023, under Section 4/5 of Explosive Act, registered at Police Station Kandhai, District Pratapgarh.
3. The aforesaid case has been registered on the basis of F.I.R. lodged by a Sub Inspector of Police on 16.07.2023 alleging that the applicant was arrested on the basis of information received from a mukhbir and four live country made Sutli Bombs were recovered from his possession.
4. The applicant's involvement in 13 other cases has been disclosed in para 13 of the affidavit filed in support of the bail application.
5. The learned A.G.A. has opposed the prayer of the 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 alleged recovery has not been witnessed by any person, coupled with the fact that the applicant has no criminal history and he is languishing in

jail since 16.07.2023 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- **Mohammad Aleem @ Pappu** 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 :- 19.10.2023

Preeti.