

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12577 of 2023

Applicant :- Pravin Singh @ Ketan Singh

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

Counsel for Applicant :- Arvind Kumar Verma, Atul Verma

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Atul Verma, learned counsel for the applicant, Ms Parul Kant, 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. 37 of 2022, under Sections 420, 467, 468, 471, 272 I.P.C. and Section 60(A) Excise Act, registered at Police Station Mill Area, District Raebareli.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 28.01.2022 stating that some bottles containing English liquor packed in two sacks were found lying near a canal. QR code printed on the labels affixed on the bottles could not be scanned, from which it transpired that the liquor was not genuine.

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 criminal history of five cases in two of which he has been granted bail; rest of the three cases have been registered subsequently after registration of Case Crime No.37 of 2022 (supra).

5. The State has filed a counter affidavit annexing therewith copies of the material collected during investigation. The applicant has been implicated in the present case on the basis of custodial interrogation of co-accused-Akhand Pratap Singh. A supplementary affidavit has been filed on behalf of the applicant stating that one Ram Pratap Yadav, who was also named by Akhand Pratap Singh has been granted bail by the Sessions Judge, Raebareli.

6. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.

7. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the applicant has been implicated in the present case solely on the basis of custodial statement of co-accused person and no incriminating material has been recovered from his possession in connection with the instant case and that another accused person who was also implicated in a similar

manner has already been granted bail whereas the applicant has been languishing in jail since 01.02.2022 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.

8. Accordingly, this bail application stands allowed.

9. Let the applicant-Pravin Singh @ Ketan Singh be released on bail in Case Crime No. 37 of 2022, under Sections 420, 467, 468, 471, 272 I.P.C. and Section 60(A) Excise Act, registered at Police Station Mill Area, District Raebareli 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 :- 19.10.2023
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