

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12632 of 2023

Applicant :- Ram Chandra

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

Counsel for Applicant :- Prabhat Kumar Srivastava, Virendra Kumar Tripathi

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Virendra Kumar Tripathi, the learned counsel for the applicant, Sri Rakesh Kumar Singh, 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 Case Crime No. 178/2013, under Sections 3/7 Essential Commodities Act, Police Station Talkatora, District Lucknow.
3. The aforesaid case has been registered on the basis of alleged recovery of kerosene oil made on 17.08.2013, which was stored in violation of Section 3 of the Essential Commodities Act.
4. In the affidavit filed in support of the application, it has been stated that the applicant is innocent, he has falsely been implicated in the present case and that he has no criminal history.
5. In para 3 of the affidavit, it has been stated that on coming to know about the present case the applicant surrendered on 11.09.2023 before the trial court.
6. The learned counsel for the applicant has submitted that co-accused Ram Sijor, has already been granted bail by means of an order dated 11.10.2023 passed by this Court in Criminal Misc. Bail Application No.12131 of 2023.
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 also considering the fact that the offence alleged carry maximum punishment of

imprisonment upto seven years and that a co-accused person has already been granted bail, coupled with the fact that the applicant has no criminal history and he has himself surrendered upon coming to know about the proceedings, I am of the view that the applicant is also entitled to be released on bail in the present case.

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

10. Let the applicant- **Ram Chandra** 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 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 :- 28.10.2023
Preeti.