

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12950 of 2023

Applicant :- Ravindar @ Manga

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

Counsel for Applicant :- Kapil Dev Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Kapil Dev Srivastava, the learned counsel for the applicant, Sri Virendra Kumar, 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. 0300 of 2023, under Sections 507, 506, 386 I.P.C., registered at Police Station Kotwali Palia, District Lakhimpur Kheri.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 18.08.2023 alleging a call for extortion having been made by a mobile number. The police claimed to have arrested three persons on the basis of information received from a mukhbir on 19.09.2023 and it is alleged that a country made pistol and a live cartridge were recovered from the applicant, a sim was recovered from another person Vikki and a mobile phone was recovered from the third person Rupendra @ Rinku. It is alleged that all the accused persons confessed their involvement in the commission of crime.
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 no previous criminal history. After his arrested the applicant has been implicated in three cases.

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 recovery has not been witnessed by any independent person and besides custodial confessional statement of the accused persons there is no other material which may connect the applicant with the present case; that the applicant has no previous criminal history and he is languishing in jail since 19.09.2023 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-Ravindar @ Manga** 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 :- 2.11.2023
Ram.