

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13966 of 2023

Applicant :- Rupendra Singh @ Rinku

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

Counsel for Applicant :- Dharm Trivedi

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Dharm Trivedi, the learned counsel for the applicant, Sri Manish Kumar Padney, 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 mobile phone was recovered from the applicant, a sim was recovered from another person Vikki and a pistol and live cartridge was recovered from the third person Ravindra @ Manga. 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. The applicant's involvement in four other cases has been disclosed in para 13 of the affidavit in all of which he has been granted bail.

5. Co-accused Ravindar @ Manga from whom pistol and live cartridge are said to have been recovered, has been granted bail by means of the order dated 02.11.2023 passed by this Court in Crl Misc Bail Application No.12950 of 2023.

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 merely a mobile phone is said to have been recovered from the applicant's possession and that the person from whom a pistol and live cartridge have been recovered has already been granted bail vide order dated 02.11.2023 passed by this Court in Crl Misc Bail Application No.12950 of 2023 ; that the applicant 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.

8. Accordingly, this bail application stands allowed.

9. Let the applicant- **Rupendra Singh @ Rinku** 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.

Order Date :- 28.11.2023

Renu/-