

Court No. - 29

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14120 of 2023

Applicant :- Vishal Verma

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

Counsel for Applicant :- Bipin Kumar Tiwari

Counsel for Opposite Party :- G.A.

Hon'ble Mrs. Sadhna Rani (Thakur),J.

Heard learned Counsel for the applicant, learned A.G.A. and perused the record.

The accused- applicant is involved in FIR No. 510 of 2023, under Sections 364 and 120-B I.P.C., Police Station Kotwali Bikapur, District- Ayodhya.

It is argued by the learned counsel for the applicant that the incident is dated 22.9.2023 while the FIR has been lodged on 1.10.2023 after due consideration. The applicant was not named in the FIR. His name came into light in the confessional statement of co accused Dharmendra Pandey. The victim was neither recovered from the possession of the applicant, nor he is the person involved in the present incident. The victim also has not named the applicant in his statement. Co accused Ram Sevak and Rajendra Prasad having identical role have already been granted bail. The applicant is languishing in jail from 2.10.2023, hence, the prayer is made accordingly.

Learned A.G.A. opposed the prayer for bail of the applicant and submitted that the motorcycle of the present applicant was used in the offence.

From the perusal of the record, it is found that the present applicant is neither named in the FIR nor in the statement of any accused. It is alleged that the present applicant was involved in abducting the victim. The motorcycle used in commission of the offence belonged to the present applicant. But no document has been placed before the court in this regard. The victim in his statement has mere stated that all the six persons were involved in the offence. But the names of these 6 persons have not been disclosed by him. Co accused Dharmendra Pandey in his statement only disclosed the fact that he along with his 5 companions had made plan to abduct the

victim but no specific role is assigned to the present applicant in the statement of Dharmendra also. The applicant is languishing in jail since 2.10.2023. Co accused Ram Sevak and Rajendra Prasad having identical role have already been granted bail

Perusing the record, considering the facts and circumstances of the case, the nature of allegations, arguments advanced by the learned counsel for the parties and without expressing any opinion on the merit of the case, I find it to be a case of bail.

The bail application is allowed.

Let the applicant Vishal Verma who is involved in aforesaid crime be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions.

1. The applicant will attend and co-operate the trial proceedings pending before the court concerned on the dates fixed after release.
2. He will not tamper with the witnesses.
3. He will not indulge in any illegal activities during the bail period.

The identity, status and residential proof of sureties will be verified by the court concerned and in case of breach of any of the above conditions, the trial court shall be at liberty to cancel the bail and send the applicant to prison.

It is clarified that the observations, if any, made in this order are strictly confined to the disposal of this bail application and must not be construed to have any reflection on the ultimate merits of the case.

Order Date :- 30.11.2023

Gss