

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14215 of 2023

Applicant :- Jagdamba Nishad

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

Counsel for Applicant :- Umesh Kumar Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Umesh Kumar Pandey, the learned counsel for the applicant, Sri Pramod Kumar Shukla, 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. 510 of 2023, under Sections 364, 120-B I.P.C., registered at Police Station Kotwali Bikapur, District Ayodhya.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 01.10.2023 alleging that the informant's father in law was abducted from his home on 22.09.2023.
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 criminal history. In the statement of the victim recorded under Section 161 Cr.P.C. he has stated that he had been abducted by seven persons with the object of getting a sale deed executed by him in respect of a land. The co-accused persons Rajendra Prasad, Vishal Verma, Dharmendra Pandey and Ram Sevak have already been granted bail in the present case.
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 incident occurred on 22.09.2023, whereas the F.I.R. was lodged on 01.10.2023; that four co-accused persons have already been enlarged on bail by this court; that the applicant has no previous criminal history and he is languishing in jail since 02.10.2023 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-Jagdamba Nishad** 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 :- 4.12.2023

Ram.