

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14236 of 2023

Applicant :- Raju Sharma @ Raju Kori @ Rahul

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

Counsel for Applicant :- Akhilendra Pratap Singh, Atul Verma, Vinod Kumar Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Atul Verma, the learned counsel for the applicant, Sri Jugal Kishore, 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. 501 of 2020, under Sections 379/411/412/413/414/419/420/467/468/471/484/120B I.P.C., registered at Police Station Gomtinagar, District Lucknow.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 05.06.2020 alleging commission of theft of a car. The applicant has been implicated in the present case on the basis of statement of the co-accused persons and he was taken on remand on the basis of b-warrant while he was lodged in jail in connection with some other offence and no incriminating material has been recovered from the applicant.
4. In the affidavit filed in support of bail application it has been stated that the applicant is innocent and he has been falsely implicated in the present case. The applicant's involvement in two other cases has been disclosed by filing a supplementary affidavit, in both of which he has already been granted bail.

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 applicant has been implicated in the present case solely on the basis of custodial statement of co-accused persons and no incriminating material has been recovered from his possession; that the investigation qua the applicant has been completed and a charge sheet against him has been submitted on 21.09.2023 and that the applicant is languishing in jail since 18.09.2023 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-Raju Sharma @ Raju Kori @ Rahul** 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.