

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14301 of 2023

Applicant :- Bittu Kumar

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

Counsel for Applicant :- Pradeep Kumar Tripathi

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Pradeep Kumar Tripathi, learned counsel for the applicant, Sri Neeraj Kumar Tiwari, 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.357 of 2023, under Sections 420, 467, 468, 471 I.P.C., registered at Police Station Kotwali Dehat, District Sitapur.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 14.09.2023 stating that the applicant had come to appear in place of of Rajesh Kumar Gupta and the applicant was caught while he was attempting to enter the examination centre.

4. In the affidavit filed in support of bail application, it has been stated that the applicant is 22 yeas old innocent person, he has been falsely implicated in the present case and he has no criminal history. The applicant has been languishing in jail since 14.09.2023.

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 who was arrested before he could appear in the examination and that he is 22 years old person having no criminal history and he is languishing in jail since 14.09.2023 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**-Bittu Kumar be released on bail in aforementioned 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 :- 5.12.2023
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