

Court No. - 29

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14314 of 2023

Applicant :- Samsheer Singh

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

Counsel for Applicant :- Raj Kumar Verma

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.

This application has been moved by the applicant with a prayer to enlarge him on bail in Case Crime No.0460 of 2023, under Sections 392, 411 I.P.C., Police Station Ram Kot, District-Sitapur.

It is argued by the learned counsel for the applicant that the applicant is not named in the FIR. There is allegation of snatching Rs. 1,37,000/- from the first informant. The applicant is said to have arrested by the police on 27.09.2023 and Rs.50,000/- is shown to recover from the present applicant, while he was picked up from his home. He is not involved in the incident. There is no criminal history to his credit. He has been falsely implicated. He is languishing in jail since 27.09.2023, hence, the prayer of bail is made.

Learned A.G.A., however, opposed the prayer and submitted that the applicant was arrested by the police on 27.09.2023 and a recovery of Rs.50,000/- was made from him. It was confessed by the applicant that these were the rupees, which were robbed by him and co-accused persons from the first informant.

From the perusal of the record, robbery of Rs. 1,37,000/- by two unknown motorcycle riders was alleged in the FIR. When the police arrested three persons next day on 27.09.2023 it is alleged that recovery of Rs. 50,000/- was made from the present applicant. No mark of identification is shown on the rupees recovered from the applicant that these were the rupees, which were robbed from the first informant. Applicant has been implicated on the basis of the confession of the accused persons. Applicant is languishing in jail since 27.09.2023.

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 fit case for granting bail to the applicant.

The bail application is allowed.

Let the applicant, **Samsher Singh**, who is involved in the aforesaid case 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 in the trial pending before the court concerned on the dates fixed after release.
2. The applicant will not tamper with the witnesses.
3. The applicant will not indulge himself 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 the 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 :- 6.12.2023

Radhika