

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14715 of 2023

Applicant :- Sadiq Hussain

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

Counsel for Applicant :- Ramakar Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Ramakar Shukla, the learned counsel for the applicant, Sri Akhilesh Kumar Vyas, the learned A.G.A. for the State and Sri Mangal Singh Yadav holding brief of Sri Ravindra Shukla, the learned counsel for the informant.

2. The present bail application has been filed by the applicant in F.I.R. No. 162 of 2019, under Sections 323, 506, 308 IPC, Police Station Musafirkhana, District Amethi with the prayer to enlarge him on bail.

3. Learned counsel for the applicant submits that applicant has falsely been implicated in the present case. It is further submitted that the alleged offence is punishable upto 7 years and during the course of investigation, the applicant has not been taken into custody. It is also submitted that the applicant has cooperated in the investigation and never misused the liberty given by the Investigating Agency. The applicant has no criminal history. It is next submitted that the charge sheet has been filed and there is no possibility of tampering of any evidence. It is lastly submitted that the applicant, who is in jail since 28.11.2023, is entitled for bail. It is also submitted that the applicant will never misuse the liberty of bail and shall fully cooperate in the investigation.

4. Learned A.G.A. opposes the prayer for grant of bail to the applicant, but does not dispute the fact that the alleged offences are punishable upto 7 years and during the course of investigation, the applicant has not been taken into custody.

5. Considering the arguments advanced by the learned counsel for the applicant, learned A.G.A. and going through the contents of F.I.R., contents of bail application and other relevant documents, I am of the view that the applicant is entitled to be released on bail.

6. Application stands **allowed.**

7. Let **applicant - Sadiq Hussain** be released on bail in the aforesaid case on his furnishing personal bond and two reliable

sureties each of the like amount to the satisfaction of the 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.

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(Subhash Vidyarthi, J.)

Order Date :- 16.12.2023

Ram.