

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14847 of 2023

Applicant :- Mohammad Muzzummil And Another

Opposite Party :- State of U.P.

Counsel for Applicant :- Mohd. Waris Farooqui

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri M. Waris Farooqui, the learned counsel for the applicants, Sri Jayant Singh Tomar, the learned AGA-I for the State and perused the records.
2. The instant application has been filed seeking release of the applicants on bail in Case Crime No.210 of 2023, under Sections 457, 380 & 411 of IPC, Police Station Khodare, District Gonda.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 22.10.2023 alleging that a team of government officials had sealed Indian Diagnostic Centre on 11.08.2023. However, during the period the diagnostic centre remained sealed, its lock was replaced and numerous equipments and documents were removed from the sealed centre.
4. The police claimed to have arrested the applicants and to have recovered the removed articles from the building of Apex Hospital.
5. In the affidavit filed in support of bail application it has been stated that the applicants are innocent, they have been falsely implicated in the present case and they have no criminal history.
6. Learned counsel for the applicants has submitted that the owner of the hospital from where the alleged recovery has been made, has not been made accused and the applicants have been falsely implicated because they were employees of the diagnostic centre.
7. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.
8. Having considered the aforesaid facts and circumstances of the case 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 applicants on bail in the aforesaid case.

9. Accordingly, this bail application stands ***allowed***.

10. Let the applicant-(i) ***Mohammad Muzzummil*** and (ii) ***Mohammad Yaseen*** 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 applicants shall not tamper with the prosecution evidence;

(ii) the applicants shall not pressurize the prosecution witnesses;

(iii) the applicants shall appear on each and every date fixed by the trial court.

Order Date :- 16.12.2023

Pradeep/-