

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 15077 of 2023

Applicant :- Rambali

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

Counsel for Applicant :- Om Prakash Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Om Prakash Yadav, the learned counsel for the applicant as well as Sri Arpit Kumar, the learned A.G.A. for the State and perused the record.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 278 of 2023, under Section 420, 323, 504, 506, 120-B I.P.C., registered at Police Station Kudwar, District Sultanpur.
3. The aforesaid case has been registered on the basis of F.I.R. lodged on 29.08.2023 by the applicant's daughter-in-law against the applicant and his son, alleging that they fraudulently withdrew money from her bank account.
4. In the affidavit filed in support of the bail application, it has been stated that the applicant is innocent, he has been falsely implicated in the present case and he has no criminal history.
5. A supplementary affidavit has been filed on behalf of the applicant annexing therewith a copy of the bank account statement of the applicant to content that Rs. 40,000/- have been transferred to the applicant's account through a cheque issued by the informant herself.
6. The learned A.G.A. has opposed the prayer of the bail, but he could not dispute the aforesaid aspects of the matter.

7. Having considered the aforesaid facts and circumstances of the case and without making any observations 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.

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

9. Let the **applicant- Rambali** 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 the 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 :- 20.12.2023

Preeti.