

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 15282 of 2023

Applicant :- Ankur Tiwari @ Udbhav Tiwari

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home, Govt. U.P. Lucknow (U.P.)

Counsel for Applicant :- Shanker Lal Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Shanker Lal Pandey, learned counsel for the applicant, Sri Rakesh Kumar Singh, learned A.G.A. for the State and Sri Ankur Srivastava, learned counsel for the informant and perused the records.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No.266 of 2023, under Sections 387, 427, 506 I.P.C., registered at Police Station Antu, District Pratapgarh.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 14.07.2023, stating that informant's wife is Village Pradhan; that the applicant had demanded Rs.20,000/- as extortion money from the informant and upon his refusal, he damaged edging of interlocking road with a tractor of some other person.
4. In the affidavit filed in support of bail application, it has been stated that the applicant is innocent, and he has been falsely implicated in the present case. Applicant's involvement in 11 other cases has been shown in para 14 of the affidavit in 9 of which, he has been granted bail.
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 allegation is regarding damage caused to the edging of a public road by a tractor whereas reason therefor has been shown as demand of extortion money from a private

person who has nothing to do with that public road 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-Ankur Tiwari @ Udbhav Tiwari** 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 :- 22.12.2023
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