

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 15312 of 2023

Applicant :- Naushad Lari @ Naushad Ahmad

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

Counsel for Applicant :- Siddhartha Sinha, Mohammad Zeeshan Lari

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Siddharth Sinha, the learned counsel for the applicant, Sri Jayant Singh Tomar, the learned A.G.A.-I for the State and perused the records.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No.585 of 2022, under Sections 447, 420, 467, 468, 471, 120-B I.P.C. and Section 3/4 of Prevention of Damage to Public Property Act, 1984, registered at Police Station Gangaghat, District Unnao.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 21.11.2022 against eight persons, including the applicant stating that the accused persons have caused damage to the public property by indulging into illegal plotting.
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. The applicant's involvement in three other cases has been disclosed in para 49 of the affidavit in two of which he has been granted bail, except for a case under U.P. Gangster and Antisocial Activities Prevention Act, in which he has been implicated on the basis of his involvement in other cases. The co-accused Anshul Thakur has already been granted anticipatory bail by this court by means of an order

dated 18.12.2023, passed in Criminal Misc. Anticipatory Bail Application No.2927 of 2023.

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 the applicant is languishing in jail since 12.11.2023 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-Naushad Lari @ Naushad Ahmad** 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 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 :- 22.12.2023

Ram.