Court No. - 2

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 37481 of 2020

Applicant :- Arvind And Another
Opposite Party :- State of U.P.
Counsel for Applicant :- Ajay Kumar,Shashi Kumar Mishra
Counsel for Opposite Party :- G.A.,Akhilesh Singh,Yogesh Kumar Srivastava

Hon'ble Suneet Kumar,J.

List revised. None appeared on behalf of the informant.

Heard Sri Ajay Kumar, learned counsel for the applicants, learned A.G.A. for State and perused the record.

This application under Section 439 Cr.P.C. has been moved seeking bail in Case Crime No. 119 of 2020 under Sections 147, 302, 307, 324, 452, 506 & 120B I.P.C., Police Station Ghiror, District Mainpuri, during the pendency of trial.

It is urged that co-accused Puran Singh and Jaswant have been enlarged on bail by coordinate Bench of this Court vide order dated 7.12.2020 passed in Criminal Misc. Bail Application No. 37214 of 2020; applicants claim parity; general role has been assigned to the applicants; They have no criminal history. They are in jail since 29.5.2020 & 24.6.2020. If released on bail, they will not misuse the liberty of bail.

Learned A.G.A. has opposed the prayer of bail but does not dispute the fact argued by learned counsel for the applicants.

In view of above arguments, taking into consideration the quantum of punishment, nature of offence and period of detention, without expressing any opinion on the merits, this case is found to be a fit case for bail.

Let the applicants **Arvind** and **Narendra** involved in aforesaid crime be released on bail on their furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions that:-

1. The applicants shall not tamper with the prosecution evidence by intimidating/pressurizing the witnesses, during the investigation or trial.

2. The applicants shall cooperate in the trial sincerely without seeking any adjournment.

3. The applicants shall not indulge in any criminal activity or commission of any crime after being released on bail.

In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

Identity, status and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted.

Taking into consideration that Covid-19 is continuing and due to which certified copy would not be possible to be obtained by the applicant, therefore, if a copy of this order downloaded from the official website of Allahabad High Court and self attested by the counsel for the applicant is placed before the Court, the same would be entertained.

Order Date :- 10.12.2020
Mukesh Kr.