Court No. - 76

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 39609 of 2020

Applicant :- Surendra Singh
Opposite Party :- State of U.P.
Counsel for Applicant :- Atul Kumar Shahi
Counsel for Opposite Party :- G.A.

Hon'ble Ajit Singh,J.

Heard learned counsel for the applicant and the learned A.G.A.

This is a bail application on behalf of the applicant Surendra Singh in connection with Case Crime No.268 of 2018, under Sections147, 148, 149, 302, 201, 336, 504 I.P.C., Police Station Oncha, district Mainpuri.

The first information report of this incident was lodged by the complainant alleging that six named accused persons had beaten the deceased and hide the dead body of the deceased behind their house.

The submission of learned counsel for the applicant is that the applicant is quite innocent and has been falsely implicated in the present case with the ulterior motive. He submitted that the co-accused Somnath @ Sameshwar and Satyaveer @ Visheshwar have been admitted to the concession of bail by another Bench of this Court by orders dated 10.06.2020 24.09.2020 passed in Criminal Misc. Bail Application Nos.10047 of 2020 (Somnath @ Sameshwar) and 28077 of 2020 (Satyaveer @ Visheshwar) copy whereof have been annexed at page nos.43 and 45 of the paper book, and the role assigned to the applicant is similar to the role of the other co-accused, who have already been enlarged on bail. He claims parity. He submitted that the applicant is languishing in jail since 11.01.2019 and in case, he is released on bail he will not misuse the liberty of bail and will cooperate in the trial.

Learned A.G.A. has opposed the bail plea. However, learned A.G.A. does not dispute the factum of parity.

Considering the overall facts and circumstances, the nature of allegations, the gravity of offence, the severity of the punishment, the evidence appearing against the accused and also the fact that the aforesaid co-accused have been admitted to the concession of bail by this Court, but without expressing any opinion on merits, this Court finds it to be a fit case for bail.

Accordingly, the bail application stands allowed.

Let the applicant **Surendra Singh** involved in the aforesaid crime be released on bail on executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:

i) The applicant shall not tamper with the prosecution evidence.

ii) The applicant shall not threaten or harass the prosecution witnesses;

iii) The applicant shall appear on the date fixed by the trial court;

iv) The applicant shall not commit an offence similar to the offence of which the applicant is accused, or suspected of the commission;

v) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade such person from disclosing facts to the Court or to any police officer or tamper with the evidence.

The party shall file computer generated copy of such order downloaded from the official website of High Court Allahabad, self attested by learned counsel for the applicant along with a self attested identity proof of the said persons (preferably Aadhar Card) mentioning the mobile number (s) to which the said Aadhar Card is linked before the concerned Court/Authority/Official.

The concerned Court/Authority/Official shall verify the authenticity of such computerized copy of the order from the official website of High Court Allahabad and shall make a declaration of such verification in writing.

Order Date :- 26.11.2020
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