Court No. - 40

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 39901 of 2020

Applicant :- Ramnath @ Karu
Opposite Party :- State of U.P.
Counsel for Applicant :- Binod Kumar Tripathi,Mukesh Kumar Tiwari
Counsel for Opposite Party :- G.A.

Hon'ble Anil Kumar-IX,J.

Heard Sri Binod Kumar Tripathi, learned counsel for the applicant, learned A.G.A. for the State and perused the record.

This application under Section 439 Cr.P.C. has been moved on behalf of the applicant-Ramnath @ Karu with prayer to enlarge him on bail in Case Crime No.68 of 2020, under Sections 147, 148, 149, 302, 307, 323, 504, 506, 34, 188, 269, 270 I.P.C. & Section 3 Epidemic Act and Section 51 Aapda Prabandhan Adhiniyam, P.S.-Rijor, District-Etah.

Learned counsel for the applicant submitted that applicant is innocent and has not committed offence as alleged in the F.I.R. He has been falsely implicated in this case due to being family member of the accused person. Total 12 accused persons have been named in the F.I.R. Except Rajkumar and Raghunath, all the accused persons have been assigned general role, no specific role has been assigned to the applicant. At this stage, there is nothing to show that fatal injury of the deceased was caused by the applicant. There is no criminal history of the applicant and he is languishing in jail since 18.05.2020. The applicant undertakes that he will not misuse the liberty of bail.

Learned A.G.A. opposed the prayer for bail but could not dispute the fact that there is no other reported criminal antecedents against the applicant.

Considering the submission of learned counsel for the parties, facts of the case, nature of allegation, gravity of offence, without expressing any opinion on the merits of the case, the Court is of the view that it is a fit case for bail. Hence, the bail application is hereby **allowed**.

Let the applicant-**Ramnath @ Karu** 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 will not tamper with prosecution evidence.

(ii) The applicant will abide the orders of court, will attend the court on every date and will not delay the disposal of trial in any manner whatsoever.

(iii) The applicant will not indulge in any unlawful activities.

(iv) The applicant will not misuse the liberty of bail in any manner whatsoever.

(v) The party shall file computer generated copy of such order downloaded from the official website of High Court Allahabad.

(vi) 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.

The identity, status and residential proof of sureties will be verified by court concerned and in case of breach of any of the conditions mentioned above, court concerned will be at liberty to cancel the bail and send the applicant to prison.

Order Date :- 24.11.2020
Rahul.