Court No. - 76

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 45441 of 2020

Applicant :- Anil
Opposite Party :- State of U.P.
Counsel for Applicant :- Bala Nath Mishra,Ram Vishal Mishra,Sachin Mishra
Counsel for Opposite Party :- G.A.

Hon'ble Ajit Singh,J.

Heard learned counsel for the applicant and learned A.G.A. for the State and perused the material on record.

By means of this application, the applicant who is involved in Case Crime No.0453 of 2020, under section 2/3 U.P. Gangster and Anti-Social Activities (Prevention) Act, 1986, Police Station Iglas, district Aligarh and is in jail since 05.10.2020, is seeking enlargement on bail during the trial.

An first information report dated 07.09.2020 was lodged under Section 2/3 U.P. Gangster and Anti-Social Activities (Prevention) Act, 1986 alleging that the applicant alongwith others formed a gang and have committed various offences.

Learned counsel for the applicant submitted that the applicant has been implicated in the present case on the basis of his involvement in three other criminal cases mentioned in gang chart, copy whereof has been annexed on page no.22 of the affidavit accompanying this bail application. He next submitted that the applicant has been granted bail in the criminal cases shown against him in the gang chart. Copy of the bail order has been annexed on page no.29 onwards of the affidavit accompanying this application, hence the applicant is entitled to be enlarged on bail.

The prayer for bail has been vehemently opposed by learned A.G.A. However he does not dispute the fact that the applicant has been granted bail in the case mentioned against him in the gang chart.

Keeping in view, the submissions of learned counsel for the parties and without expressing any opinion on the merits of the case, this Court is of the view that the applicant is entitled to be enlarged on bail during the pendency of the trial.

Let the applicant **Anil** 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:

1. The applicant will continue to attend and co-operate in the trial pending before the court concerned on the date fixed after release.

2. He will not tamper with the witnesses.

3. He will not indulge in any illegal activities during the bail period.

It is further directed that the identity, status and residence proof of the

sureties be verified by the authorities concerned before they are accepted.

In case of breach of any of the above conditions, the trial court will be at liberty to cancel the bail.

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 :- 10.12.2020

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