

Court No. - 8

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 32891 of 2017

Applicant :- Shivam Yadav

Opposite Party :- State Of U.P.

Counsel for Applicant :- Bhishm Pal Singh

Counsel for Opposite Party :- G.A.

Hon'ble Ajit Kumar,J.

Heard learned counsel for the applicant, learned Additional Government Advocate and perused the records.

The applicant is involved in case crime no. 557 of 2017 under Section 386 IPC, P.S. Shikohabad, District Firozabad.

As per first information report, the applicant alongwith co-accused Ashish Tiwari alleged to be involved in respect of incident having taken place on 26.7.2017 at the Shyam Hotel being run by the informant and the charge is that two accused persons had demanded for a ransom of Rs. 20,000/- and in the event money being not paid, threatened to kill. At the very outset, learned counsel for the applicant states that not only the applicant has been falsely implicated in the case but co-accused Ashish Tiwari in the same case crime number has already been granted bail by Sessions Judge, Firozabad vide order dated 11.9.2017, certified copy of the same has been placed before the Court and same is kept on record.

On contrary, learned AGA opposed the prayer for bail but could not dispute the fact that co-accused has already been granted bail by Sessions Judge, Firozabad.

Considering the aforesaid submissions of learned counsel for the parties, without expressing any opinion on the merits of the case, since allegation against applicant is identical to that of Ashish Tiwari who has been granted bail by the court below, I am of the view that the applicant is also entitled for bail.

Let the applicant Shivam Yadav involved in aforesaid case be released on bail on his executing a personal bond and furnishing two sureties each of the like amount to the satisfaction of the court concerned.

However, applicant has been directed to be enlarged on bail with condition that he shall appear before court concerned as and when required and shall not avoid personal appearance, failing which, lower court will be at liberty to cancel the bail.

It is made clear that Identity, status and residence proof of the applicant and sureties be strictly verified by the court concerned before the bonds are accepted.

Order Date :- 31.1.2018

Sanjeev