

Court No. - 27

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 41802 of 2018

Applicant :- Janu Alias Jaan Mohammad

Opposite Party :- State Of U.P.

Counsel for Applicant :- Durgesh Kumar Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Aniruddha Singh,J.

Supplementary affidavit filed today is taken on record.

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

It is submitted by learned counsel for the applicant that according to gang chart, four cases had been shown against accused applicant and he is on bail. The applicant has been falsely implicated in the present case. He is languishing in jail since 4.4.2017 (near about one year and seven months) and in case he is released on bail, he will not misuse the liberty of bail and will cooperate in the trial. It is further submitted that no bail cancellation application has been moved till today regarding the cases shown in the gang chart.

Learned A.G.A. opposed the prayer for bail and admitted that there is no criminal history against the applicant except the gang chart and further he could not dispute the aforesaid fact as argued by learned counsel for the applicant.

Keeping in view the nature of the offence, provision for initiation of cases and release of the accused in U.P. Gangster and Anti Social Activities (Prevention) Act, evidence, complicity of the accused, severity of punishment, submissions of the learned counsel for the parties and without expressing any opinion on the merits of the case, the Court is of the view that the applicant has made out a case for bail. The bail application is allowed.

Let the applicant **Janu Alias Jaan Mohammad** involved in Case Crime No. 181 of 2017, under Section 2/3 U.P. Gangster and Anti Social Activities (Prevention) Act, 1986, Police Station Ganga Nagar, District - Meerut be released on bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions:

1. The applicant will not tamper with the evidence during the trial.
2. The applicant will not pressurize/ intimidate the prosecution witness.
3. The applicant will appear before the trial court on the date fixed, unless personal presence is exempted.
4. The applicant shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.
5. 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 him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

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

Order Date :- 31.10.2018//A. Singh