

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 4634 of 2020

Applicant :- Deepak @ Deepu

Opposite Party :- State of U.P.

Counsel for Applicant :- Siya Ram Yadav, Dewarshi Kumar Rai, Rajesh Kumar Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Kumar, J.

Heard learned counsel for the applicant, learned A.G.A and gone through the record.

This bail application has been moved on behalf of accused-applicant Deepak @ Deepu who is involved in case crime no. 699 of 2019, under Sections 420, 467, 468, 471 and 120-B I.P.C., Police Station Shahganj, District-Agra.

Learned counsel for the applicant submits that applicant is innocent and has falsely been implicated in the case; that the alleged recovery shown from the possession of the applicant is fake and planted one and all the documents shown by the police belong to co-accused Pradeep Kumar, who had given the same to the applicant; that the employees of TCS Company who held the DVPST, had prepared the false evidence against the applicant and has falsely implicated him in the present case because the photographs on the Aadhar Card and thumb impressions were not tallied each others; that co-accused Satendra Singh and Vikas Kumar have been granted bail by coordinate Benches of this Court vide orders dated 18.1.2020 and 23.1.2020 in Criminal Misc. Bail Application Nos. 2611 of 2020 and 3561 of 2020, hence the applicant may also be granted bail. Several other submissions in order to demonstrate the falsity of the allegations made against the applicant have also been placed forth before the Court. The circumstances which, according to the counsel, led to the false implication of the accused have also been touched upon at length. It has also been pointed out that the accused is not having any criminal history and he is in jail since 15.12.2019 and that in the wake of heavy pendency of cases in the Court, there is no likelihood of any early conclusion of trial.

Learned A.G.A has opposed the prayer for bail.

Keeping in view the nature of offence, evidence, complicity of the accused, severity of punishment, submissions of the learned counsel for the parties and without touching the merits of the case in my opinion the accused applicant is entitled for bail.

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

1. The applicant shall not tamper with the prosecution evidence, shall cooperate in investigation or trial and shall not indulge in any criminal activity or commission of any crime after being released on bail.

2. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail. Identity, status and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted.

Order Date :- 31.1.2020

CPP/-