

In Chamber

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 6046 of 2020

Applicant :- Shakeel

Opposite Party :- State of U.P.

Counsel for Applicant :- Jahangir Haider

Counsel for Opposite Party :- G.A.

Hon'ble Ajit Kumar,J.

Heard Sri Rupak Chaubey, learned A.G.A. for the State through video conferencing and perused the records.

This bail application has been taken up during lock-down period as an urgent one.

The applicant is seeking bail in connection with Case Crime No.- 656 of 2019, under Section 2/3 U.P. Gangster and Anti Social Activities (Prevention) Act, 1986, Police Station- Modi Nagar, District- Ghaziabad.

Three cases have been shown in the gang chart bearing case crime no. 1108 of 2018, under Sections 395/412 IPC, case crime no. 16 of 2019, under Section 395/412 IPC and case crime no. 216 of 2019, under Section 3/25 Arms Act of P.S. Lisadi Gate, District Meerut in which applicant has already been granted bail. There is further criminal history of two more cases against the applicant i.e. Case Crime No. 214 of 2019, under Section 399, 402 IPC and Case Crime No. 95 of 2019, under Section 380, 411 IPC, P.S. Modi Nagar, District Ghaziabad as explained in para 3 of the supplementary affidavit and the bail orders have been annexed along with supplementary affidavit

It has been pleaded in the affidavit filed in support of the bail application that the applicant has been falsely implicated in the present case and that too quite routinely and casually sans any intrinsic material evidence. It has been further pleaded that the applicant is languishing in jail since 02.01.2020.

In view of overall facts and circumstance of the case, the Court is of the opinion that the applicant is entitled to be admitted to bail.

Accordingly, applicant, namely, Shakeel is admitted to bail and considering the special circumstances of the lock-down prevailing in the district concerned presently and in the light of the directions of this Court in P.I.L. No. 564 of 2020 dated 06.04.2020, let the applicant Shakeel be enlarged on bail in the aforesaid case crime number on his furnishing a personal bond

only to the satisfaction of the jail authorities, where the applicant is languishing.

It is further provided that this bail order available on the official website of the High Court will be taken to be the authentic one.

However, it is further directed that within a period of four weeks from the date of lifting of the complete lock-down in the District concerned resulting in resumption of normal functioning of the Courts in that district, the applicant shall furnish two sureties each of the like amount to the satisfaction of the court concerned alongwith certified copy of this order, failing which the bail granted by this court shall stand cancelled necessitating surrender of the applicant.

It is further directed that the applicant shall not misuse the liberty of bail and shall cooperate with the police/ investigating agency / trial, as the case may be.

Office of the Government Advocate is directed to forthwith inform about this order to the S.P./ S.S.P. of the district concerned for necessary information to the jail authority where the applicant is languishing.

The bail application, accordingly, stands **disposed of**.

Order Date :- 30.5.2020

IrfanUddin