

Court No. - 73

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 9393 of 2020

Applicant :- Neeraj Kumar Alias Tigar

Opposite Party :- State of U.P.

Counsel for Applicant :- Jyoti Bhushan

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-Neeraj Kumar Alias Tigar, who is involved in case crime no.8 of 2019 under Sections 394 and 411 I.P.C., Police Station-Dullahpur, District-Ghazipur.

Learned counsel for the applicant submits that applicant is innocent and has falsely been implicated in the case; that the applicant is not named in the FIR; that the police arrested the applicant showing recovery of one country made pistol, two live cartridges and cash of Rs.15000/-, which are false and planted and the alleged money belong to him; that there is no independent witness of the alleged recovery and the entire case is based upon confessional statement of the applicant, which was given under pressure; that after arrest of the applicant police has falsely roped him in many cases. It is lastly contended that the accused applicant is languishing in jail since 2.2.2019 and in the wake of heavy pendency of cases in the Court, there is no likelihood of any early conclusion of trial. In case the applicant is granted bail he shall not misuse the liberty.

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 :- 28.2.2020//Fhd.