

Court No. - 64

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 11264 of 2020

Applicant :- Hasrat

Opposite Party :- State of U.P.

Counsel for Applicant :- Sanjay Kr. Srivastava, Sushil Kumar Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Raj Beer Singh, J.

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

The present bail application has been filed by the applicant in case crime No. 06 of 2020, under Sections 2/3 U.P. Gangster and Anti Social Activities Prevention Act, 1986, Police Station Budhana, District Muzaffar Nagar with the prayer to enlarge the applicant on bail.

It has been argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case and that the provisions of U.P. Gangster and Anti Social Activities (Prevention) Act have been invoked against applicant without any relevant material. It has been submitted that in the gang chart, one case has been shown against the applicant, in which he is already on bail, copy of which has been annexed at page 17 to the bail application and that besides that, criminal history of two more cases was shown against the applicant and in those cases also he is on bail, copy of which has been annexed at page no.2 of the supplementary affidavit. It was further submitted that the applicant is languishing in jail since 04.01.2020 and in case, the applicant is enlarged on bail, he will not misuse the liberty of bail.

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

Considering the submissions of learned counsel for the parties, facts of the case, nature of allegation and period of custody, gravity of offence and all attending facts and circumstances of the case, without expressing any opinion on the merits of the case, the Court is of the opinion that it is a fit case for bail. Hence, the bail application is hereby allowed.

Let the applicant **Hasrat** involved in the aforesaid crime be released on bail on furnishing a personal bond and two local sureties each of the like amount to the satisfaction of court concerned subject to the following conditions:

1. The applicant shall not tamper with the prosecution evidence.
2. The applicant shall not pressurize the prosecution witnesses.
3. The applicant shall appear on the date fixed by the trial Court.
4. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case.

Order Date :- 18.3.2020

A. Tripathi