

**Court No. - 50**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 17282 of 2020

**Applicant :-** Ajay Kumar Pandey

**Opposite Party :-** State of U.P.

**Counsel for Applicant :-** Lok Nath Shukla

**Counsel for Opposite Party :-** G.A.,Sudhir Mehrotra

**Hon'ble Ram Krishna Gautam,J.**

Heard learned counsel for the applicant and learned A.G.A.

By means of this application, the accused-applicant, Ajay Kumar Pandey, who is involved in Case Crime No. 487 of 2019, under Sections 147, 148, 149, 323, 504, 506, 307, 326, 325 IPC, Police Station Gola, District Gorakhpur, is seeking enlargement on bail.

Learned counsel for accused-applicant argued that the accused-applicant is innocent; he has been falsely implicated in this very case crime number; he is of one criminal antecedent wherein he is on bail and the matter is under investigation whereas co-accused Kamlesh Vishwakarma has already been enlarged on bail in Criminal Misc. Bail Application No. 17858 of 2020 by co-ordinate Bench of this Court vide order dated 09.07.2020; applicant is in Jail since 10.02.2020; there is no likelihood of his fleeing from course of justice or tampering with evidence, in case of release on bail. Hence, bail, during trial, has been prayed for.

Learned A.G.A. vehemently opposed the prayer for bail but could not oppose the fact that the applicant has no criminal antecedent except one case that is under investigation and he is on bail and similarly placed co-accused Kamlesh Vishwakarma, has been enlarged on bail.

Having heard learned counsel for both sides; material placed on record and without expressing any opinion on merit of the case, a case for grant of bail, during trial, is made out.

Accordingly, this bail application is allowed.

Let the applicant, Ajay Kumar Pandey, involved in above mentioned case crime number be released on bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of court concerned, subject to following conditions:

1. The applicant will not tamper with the evidence.
2. The applicant will not indulge in any criminal activity.
3. The applicant will not pressurize/intimidate the prosecution witnesses and co-operate in the trial.
4. The applicant will appear regularly on each and every date fixed by the trial court unless his personal appearance is exempted through counsel by the court concerned.

**Order Date :- 31.7.2020**

Monika