

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 17580 of 2020

**Applicant :-** Rohit Singhal

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

**Counsel for Applicant :-** Manoj Kumar Tripathi

**Counsel for Opposite Party :-** G.A.

**Hon'ble Gautam Chowdhary,J.**

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

The present bail application has been filed on behalf of the applicant Rohit Singhal with a prayer to release him on bail in Case Crime No. 461 of 2019, Under Sections 354Kha, 328, 506, 363 I.P.C. and 67 I.T. Act & 7/8 POCSO Act & 3 (1) Da, Dha, 3 (2) (Va) SC/ST Act, Police Station Dhaulana, District Hapur, during pendency of trial.

The submission advanced by learned counsel for the applicant is that the applicant is innocent and has been falsely implicated in the present case due to ulterior motive. He has further submitted that co-accused Ashish and Harish have already been granted bail by this Court vide order dated 21.04.2020 and 04.06.2020 passed in Crl. Misc. Bail Application Nos. 828 of 2020 and 13188 of 2020 respectively and the case of the applicant is also on similar footing to that of co-accused, who have already been granted bail and the applicant is also entitled for bail on the ground of parity. It is further contended by learned counsel for the applicant that the applicant is languishing in jail since 25.11.2019 having no criminal history.

On the other hand learned AGA vehemently opposed the prayer for bail of the applicant, but unable to controvert the facts mentioned above.

Having considered the material on record, larger mandate of the Article 21 of the Constitution of India and the dictum of Apex Court in the case of **Dataram Singh Vs. State of U.P. and another**, reported in **(2018) 3 SCC 22** and without expressing any opinion on the merits of the case, let the applicant **Rohit Singhal** involved in the aforesaid crime be released on bail on her furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions that :-

1. The applicant shall not tamper with the prosecution evidence by intimidating/ pressurizing the witnesses, during the investigation or trial.
2. The applicant shall cooperate in the trial sincerely without seeking any adjournment.

3. The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.
4. In case the applicant has been enlarged on short term bail as per the order of committee constituted under the orders of Hon'ble Supreme Court his/her bail shall be effective after the period of short-term bail comes to an end.
5. The applicant shall be enlarged on bail on execution of personal bond without sureties till normal functioning of the courts is restored. The accused will furnish sureties to the satisfaction of the court below within a month after normal functioning of the courts are restored.
6. The party shall file computer generated copy of such order downloaded from the official website of High Court Allahabad.
7. The concerned Court/Authority/Official shall verify the authenticity of such computerized copy of the order from the official website of High Court Allahabad and shall make a declaration of such verification in writing.

In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

**Order Date :- 26.6.2020**

v.k.updh.