

Court No. - 53

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 24390 of 2020

Applicant :- Chand Babu

Opposite Party :- State of U.P.

Counsel for Applicant :- Rajesh Kumar Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Suresh Kumar Gupta,J.

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

Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated. Recovery of only 480 gms. of *Charas* is shown in the recovery memo which is below the commercial quantity. It is further submitted by learned counsel that in the present case co-accused Raja Ahmad, whose case stands on the same footing, has already been granted bail by this Court on 8.7.2020 in Criminal Misc. Bail Application No. 18615 of 2020 and has claimed parity. This fact has not been disputed by the learned A.G.A. The applicant is in jail since 16.5.2020.

Keeping in view the nature of the offence, evidence, complicity of the accused, severity of punishment and submissions of the learned counsel for the parties, I am of the view that the applicant has made out a case for bail.

Let the applicant **Chand Babu** involved in Case Crime No. 412 of 2020, under Sections 8/20 N.D.P.S. Act and 188 I.P.C., P.S.-Navbasta, District Kanpur Nagar be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions;

(i)The applicant will not tamper with the evidence during the trial.

(ii) The applicant will not pressurise/intimidate the prosecution witness.

(iii)The applicant will appear before the trial court on the date fixed.

In case of breach of any of the above conditions, the court below shall be at liberty to cancel the bail.

Order Date :- 31.8.2020

Vandana