

**In Chamber**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 2889 of 2013

**Applicant :-** Ajay @ Neetu

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

**Counsel for Applicant :-** Vikas Sharma,Devendra Saini,Garun Pal Singh

**Counsel for Opposite Party :-** Govt.Advocate

**Hon'ble Siddharth,J.**

This bail application is being disposed of as per the order dated 04.04.2020 of Hon'ble the Chief Justice.

The allegation against the applicant is that he entered in the bank forcibly despite efforts made by the informant to stop him and in the bank he tried to loot the cashier by threatening him by knife. He was over powered by the security guard and the other persons in the bank. The applicant has criminal history of several cases explained in para 17 of the affidavit filed in support of the bail application. In the present case there is no allegation of any loot or any injury caused by the applicant to anyone. He is in jail since 04.09.2012..

Keeping in view the nature of the offence, evidence on record regarding complicity of the accused, 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, the Court is of the view that the applicant has made out a case for bail. The bail application is allowed.

Let the applicant, **Ajay @ Neetu**, who is involved in Case Crime No.576 of 2012, under Sections 393, 427, Police Station- Sadar Bazar, District- Saharanpur, 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 subject to following conditions, in case he has not been enlarged on bail till date. Further, before issuing the release order, the sureties be verified.

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 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 computer generated copy of such order shall be self attested by the counsel of the party concerned.

8. 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 :- 30.4.2020**

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