

**Court No. - 68**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 9855 of 2022

**Applicant :-** Lukman

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

**Counsel for Applicant :-** Sudhir Kumar

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

**Hon'ble Ajay Bhanot,J.**

By means of this bail application the applicant has prayed to be enlarged on bail in Case Crime No.937 of 2021 at Police Station-Kankarkheda, District-Meerut under Sections 420, 379, 411 IPC. The applicant is in jail since 31.12.2021.

The bail application of the applicant was rejected by learned Additional District and Sessions Judge, Court No.12, Meerut on 04.02.2022.

Shri Sudhir Kumar, learned counsel for the applicant contends that the applicant has been falsely implicated in the instant case. Santro car and knife were planted on the applicant to frame him in the instant case to show proficiency of the police investigators. There is no independent witness to the recovery. Prosecution evidence does not connect the applicant with the offence.

Learned counsel for the applicant has explained the criminal history of one case of the applicant and contends that the the applicant falsely implicated in the aforesaid case and same has no bearing on the

instant case.

Shri Paritosh Kumar Malviya, learned A.G.A. could not satisfactorily dispute the aforesaid submissions from the record. However, he does not contest the criminal history of the applicant as disclosed in the supplementary affidavit.

I see merit in the submissions of the learned counsel for the applicant and hold that the applicant is entitled to be enlarged on bail.

In the light of the preceding discussion and without making any observations on the merits of the case, the bail application is allowed.

Let the applicant-Lukman be released on bail in the aforesaid case crime number on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions.

- (i) The applicant will not tamper with the evidence during the trial.
- (ii) The applicant will not influence any witness.
- (iii) The applicant will appear before the trial court on the date fixed, unless personal presence is exempted.
- (iv) The applicant shall not directly or indirectly make inducement, threat or promise to any person acquainted with the facts of the case so as to

dissuade him from disclosing such facts to the Court to any police officer or tamper with the evidence.

In case of breach of any of the above condition, the prosecution shall be at liberty to move bail cancellation application before this Court.

**Order Date :-** 29.4.2022

Ashish Tripathi