

Court No. - 31

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 7360 of 2023

Applicant :- Bal Govind

Opposite Party :- State Of U.P. Thru. Prin. Secy. Deptt. Of Home Lko.

Counsel for Applicant :- Rudra Pratap Singh

Counsel for Opposite Party :- G.A.

Hon'ble Vipin Chandra Dixit,J.

Supplementary affidavit filed by the learned counsel for the applicant is taken on record.

Heard learned counsel for the applicant and learned AGA for the State respondent and perused the record.

Learned counsel for the applicant has submitted that three cases have been shown against the applicant in the gang-chart and in those cases, the applicant is on bail. Copy of bail orders have been annexed with the affidavit and supplementary affidavit filed in support of the bail application. It has also been submitted that the applicant is not involved in any antisocial activities and he has been falsely implicated in the present crime. The copy of the gang-chart has been annexed as Annexure-2 to the affidavit. It is further submitted that there is no chance of the applicant fleeing away from the judicial process or of tampering with the prosecution evidence. He next submits that the applicant is in jail since 31.10.2021 and if he is released on bail, he will not misuse the liberty of bail.

Learned AGA for the State vehemently opposed the prayer of bail. However, he does not dispute the fact that the applicant has been granted bail in the cases mentioned in the gang-chart.

Upon hearing the learned counsel for the parties and upon the perusal of the record and considering the complicity of accused, severity of punishment as well as totality of facts and circumstances, at this stage, without commenting on the merits of the case, I find it a fit case for bail. The bail application is allowed.

Let applicant-**Bal Govind** be released on bail in Case Crime No.380 of 2021 under Section 2(b)(i)/3 UP Gangster and Anti Social Activities (Prevention) Act, 1986, registered at Police Station Matauli, District Lakhimpur Kheri, on furnishing a personal bond and two sureties each in the like amount to the satisfaction of Magistrate/Court concerned, subject to the following conditions:

(i) The applicant will not tamper with prosecution evidence in any manner whatsoever.

(ii) The applicant will abide by the orders of the court, will attend the court on every date and will not delay the disposal of trial in any manner whatsoever.

(iii) The applicant will not indulge in any unlawful activity.

(iv) The applicant will not misuse the liberty of bail in any manner whatsoever.

The identity, status and residential proof of sureties will be verified by the court concerned and in case of breach of any of the conditions mentioned above, court concerned will be at liberty to cancel the bail and send the applicant to prison.

Order Date :- 31.5.2023

P.P.