

# Sandip vs State Of U.P. on 28 March, 2025

**Author: Deepak Verma**

**Bench: Deepak Verma**

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Neutral Citation No. - 2025:AHC:44148

Court No. - 67

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 4234 of 2025

Applicant :- Sandip

Opposite Party :- State of U.P.

Counsel for Applicant :- Om Prakash

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma,J.

1. Advocates are on strike.
2. Learned AGA is present.
3. Perused the record and heard learned AGA.
4. The instant bail application has been filed on behalf of the applicant Sandip with a prayer to release him on bail in Case Crime No.404 of 2024, under Sections 310(4), 317(2), 317(4), B.N.S., P.S. Maudaha, District Hamirpur during pendency of the trial.

5. It is stated in the affidavit that the applicant is innocent and has been falsely implicated in the present case. Instant FIR has lodged after delay of about 3.30 hrs whereas distance from police station is 4 kms away from the place of incident. It is alleged in the FIR that the applicant and other co-accused were making plan of dacoity. Story planted by police is completely false and fabricated. The fact is that police arrested five accused persons including applicant and implicated in the present case. Recovery of bamboo stick from the possession of the applicant is false and planted. Applicant is a labour and doing electricity work. Co-accused Gopal has been granted bail by coordinate Bench of this Court by order dated 15.01.2025. Applicant having better case for getting bail on account of parity. There is no prospect of trial of the present case being concluded in near future due to heavy dockets. The applicant is languishing in jail since 06.10.2024 and in case he is enlarged on bail he will not misuse the liberty of bail.

6. Learned A.G.A. has opposed the bail prayer of the applicant but could not dispute the parity claimed with the co-accused.

7. Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties and keeping in view the nature of offence, evidence, complicity of accused 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 on account of parity. The bail application is allowed.

8. Let the applicant, Sandip, who is involved in the aforesaid case crime, 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. Further, before issuing the release order, the sureties be verified.

i. The applicant shall not tamper with the prosecution evidence by intimidating/ pressurizing the witnesses, during the investigation or trial.

ii. The applicant shall cooperate in the trial sincerely without seeking any adjournment.

iii. The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.

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

Order Date :- 28.3.2025 SKD