

Guddu vs State Of U.P. on 3 March, 2025

HIGH COURT OF JUDICATURE AT ALLAHABAD

?`Neutral Citation No. - 2025:AHC:29274

Court No. - 66

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 7318 of 2025

Applicant :- Guddu

Opposite Party :- State of U.P.

Counsel for Applicant :- Sunil Kumar Misra

Counsel for Opposite Party :- G.A.

Hon'ble Sameer Jain,J.

1. Heard Sri Sunil Kumar Misra, learned counsel for the applicant and Sri Manoj Kumar Singh, learned brief holder for the State-respondent.
2. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No.244 of 2024, U/S 103(1), 3(5) B.N.S., Police Station Sambhal, District Sambhal, during pendency of the trial.
3. Learned counsel for the applicant submits, on the basis of false allegation applicant has been made accused in the present matter along with co-accused Dalveer and Manoj and both the co-accused have already been released on bail by co-ordinate Bench of this court vide order dated 06.01.2025 and 21.01.2025 passed in Criminal Misc. Bail Application Nos.46238 of 2024 and 1869 of 2025 respectively and on facts case of applicant is at par with them.
4. He further submits, even it is a case of circumstantial evidence and it appears except suspicion there is no cogent evidence against the applicant and others.

5. He next submits, applicant is not having any criminal history and in the the present matter he is in jail since 01.09.2024 i.e. for last six months.

6. Per contra, learned AGA opposed the prayer for bail but could not dispute the arguments on facts advanced by learned counsel for the applicant.

7. I have heard learned counsel for the parties and perused the record of the case.

8. Considering the arguments advanced by learned counsel for the applicant and the fact that similarly placed co-accused Dalveer and Manoj have already been released on bail by co-ordinate Bench of this court and in the the present matter he is in jail since 01.09.2024 i.e. for last six months, in my view, applicant is entitled to be released on bail.

9. Accordingly, without expressing any opinion on the merits of the case, the instant bail application is allowed.

10. Let the applicant -Guddu be released on bail in the aforesaid case on 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 shall appear before the trial court on the dates fixed, unless his personal presence is exempted.

(ii) 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 or any police officer or tamper with the evidence.

(iii) The applicant shall not indulge in any criminal and anti-social activity.

11. In case of breach of any of the above condition, the prosecution will be at liberty to move an application before this Court for cancellation of the bail of the applicant.

12. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

Order Date :- 3.3.2025 Neeraj