

Court No. - 77

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 25540 of 2022

Applicant :- Suhail

Opposite Party :- State of U.P.

Counsel for Applicant :- Pavan Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Ajit Singh,J.

Heard learned counsel for the applicant and the learned A.G.A.

This is a bail application on behalf of the applicant Suhail in connection with Case Crime No.314 of 2021, under Section 506 I.P.C. and 67-A of The Information Technology Act, Police Station Kotwali Dehat, district Bijnor.

The first information report of this incident was lodged by the informant against the applicant. It was alleged in the first information report that the applicant was black-mailing the sister of the informant. It was also alleged that the applicant was demanding the money.

The submission of learned counsel for the applicant is that the applicant is quite innocent and has been falsely implicated in the present case just because the applicant was having love relations with sister of the applicant. He submitted that the alleged victim has stated in her statement recorded during trial that she was having friendship with the applicant and they had chatting and video calling over mobile phone. She further said that their marriage was going to be solemnized but it could not be materialized. She further said that the applicant has sent the photographs of the alleged victim to Farman and Akram. He submitted that all offences are triable by the court of Magistrate. He submitted that applicant is languishing in jail since 01.05.2022, hence he is entitled to be released on bail and he will not misuse the liberty of bail and will cooperate in the trial.

Learned A.G.A. has opposed the bail plea.

Considering the overall facts and circumstances, the nature of allegations, the gravity of offence, the severity of the punishment, the evidence appearing against the accused, submission of learned counsel for the parties, considering the law laid down in the case of ***Data Ram Vs. State of U.P. and others, 2018 (3), SCC, 2***, but without expressing any opinion on merits, this Court finds it to be a fit case for bail.

Accordingly, the bail application stands allowed.

Let the applicant **Suhail** involved in the aforesaid crime be released on bail on executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:

i) The applicant shall not tamper with the prosecution evidence.

- ii) The applicant shall not threaten or harass the prosecution witnesses;
- iii) The applicant shall appear on the date fixed by the trial court;
- iv) The applicant shall not commit an offence similar to the offence of which the applicant is accused, or suspected of the commission;
- v) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade such person from disclosing facts to the Court or to any police officer or tamper with the evidence.

Order Date :- 1.8.2022

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