

Deep Patra @ Deep Patro And Another vs State Of U.P. on 23 March, 2021

Author: Vivek Varma

Bench: Vivek Varma

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Court No. - 79

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12023 of 2021

Applicant :- Deep Patra @ Deep Patro And Another

Opposite Party :- State of U.P.

Counsel for Applicant :- Kamal Kumar, Sandeep Kumar Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Vivek Varma, J.

Heard learned counsel for the applicants and Sri Vivek Rastogi, learned AGA for the State.

The applicants seek bail in Case Crime No. 34 of 2021, under Section 188, 269, 273 IPC, Section 3 of Epidemic Diseases Act, 1897, Section 5/15 of Environment (Protection) Act and Section 31(1) 63 of Food Safety and Standards Act, Police Station Lanka, District Varanasi.

It is contended by learned counsel for the applicants that the applicants are labourers and have been falsely implicated in the present case; they are not the owner of the Truck bearing Registration No. HR 67C 1007. It is next contended that nothing was recovered from the personal possession or property of the applicants. It has lastly been submitted that applicants are languishing in jail since 13.01.2021 having no other criminal history to their credit and in case they are enlarged on bail, they will not misuse the said liberty.

Learned AGA has opposed the prayer for bail.

Considering the facts and circumstances of the case and also perusing the material on record, without expressing any opinion on the merit of the case, let the applicants Deepa Patra @ Deep Patro and Sapan Patra @ Swapan Das, involved in the aforesaid case crime be released on bail on their furnishing a personal bond and two local sureties each in the like amount to the satisfaction of the court concerned on the following conditions that:

- (i) the applicants shall not tamper with the prosecution evidence;
- (ii) the applicants shall not pressurize the prosecution witnesses;
- (iii) the applicants shall appear on each and every date fixed by the trial court.

In case of default of any of the conditions enumerated above, the order granting bail shall stand automatically vacated.

Order Date :- 23.3.2021 Lbm/-