

In the court of Addl. Chief Judicial Magistrate, Court No.3, Shimla, Distt. Shimla HP.

Ayush Ranta vs. State

Bail application No.438 of 2023

FIR No.128/23, dated 15.07.2023, under Sections 454, 380, 411 of IPC, PS Dhalli, Distt. Shimla, HP.

15.09.2023

Present:- Sh. Manoj Thakur, Advocate for the accused/applicant

Ms. Suvrata Nijhawan, Ld. APP for State.

It is averred by the accused in the bail application that he is innocent, law abiding and reputed person of the society. He has been falsely implicated in the present case. The investigation in the present matter is complete in all respects and as such his custody is no more warranted. Hence, request has been made by him for enlargement on bail. He has further undertaken to abide by all the terms and conditions imposed upon him by the court in the event of his release on bail.

2. Ld. APP for the State has strenuously resisted the bail application . There is no ground stated by the Investigating Agency as to why the custody of accused is required in the present case.

3. It is explicit that nothing is left to be recovered or to be investigated from the accused but from the sister of accused. Thus, keeping the accused in custody would not serve any purpose, when, the accused is ready to furnish personal and surety bonds to the satisfaction of this Court and also to undertake to abide by terms and conditions to be imposed upon him in the event of his release on bail. Moreover, bail is the rule and denial thereof is an exception. Accordingly, the application seeking enlargement on bail is hereby allowed, however, subject to the following conditions:

- a) he shall furnish personal and surety bonds in the sum of Rs.20,000/-
- b) he shall join the investigation as an when directed to do so;
- c) he shall attend the court as per the undertaking given in the

bond;

d) he shall not leave the territory of India without prior permission of the court or the investigating agency as the case may be;

e) he shall not re-engage himself in the commission of a similar crime and in case he does so, the police is at liberty to apply for cancellation of bail;

f) he shall not tamper with the prosecution evidence or win over of the prosecution witnesses in any manner.

4. Requisite bonds as directed furnished, which are attested and accepted by me Accused be released forthwith if not required in any other case or process of law. **Criminal Ahlmad is directed to forward a soft copy of the bail order to the Superintendent of concerned jail through e-mail for information and necessary action with the direction to make necessary entry in the relevant register/eprison software.** Application stand disposed off. Be tagged with the main case FIR after registration.

Announced

15.09.2023

(Nishant Verma)

Addl. Chief Judicial Magistrate,
Court No.3, Shimla, HP.