

**Court No. - 50**

**Case :-** CRIMINAL APPEAL No. - 3327 of 1985

**Appellant :-** Naksoo

**Respondent :-** State

**Counsel for Appellant :-** G.P. Dixit

**Counsel for Respondent :-** A.G.A.

**Hon'ble Harsh Kumar,J.**

**Order on Criminal Misc. Bail Application No.2 of 2018**

Heard learned counsel for the applicant-appellant, learned AGA for the State and perused the record.

Learned counsel for the applicant-appellant contends that in furtherance of order of issuance of N.B.Ws. dated 1.8.2018, he was arrested on 16.8.2018; that the applicant-appellant did not make any deliberate absence; that applicant-appellant has no criminal history; that the applicant-appellant undertakes that he will not misuse the liberty of bail and shall remain present before the Court as and when required and he will cooperate with the hearing of appeal for which his counsel will remain present on the date of listing.

Learned A.G.A. vehemently opposed the prayer of bail.

Considering the unlikelihood of early hearing of appeal, complicity of convicts and sentence, as well as totality of facts and circumstances, at this stage without commenting on the merits of the case, I find it a fit case for grant of bail.

The bail application no.2 of 2018 is allowed.

Let the applicant-appellant No.1 **Naksoo** be released on bail on their furnishing a personal bond and two sureties for Rs. 20,000/- each to the satisfaction of C.J.M. Badaun concerned in S.T. No. 304 of 1984, under section 394 I.P.C., P.S. Bilsa, District Badaun, and undertaking that applicant-appellant will co-operate with the hearing of the appeal and will remain present in person or through counsel at the time of listing of case.

As soon as personal and surety bonds are furnished, photocopies of the same are directed to be transmitted to this Court forthwith by trial Judge concerned to be kept on the record of this appeal.

**Order Date :-** 23.8.2018

Krishna

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**Hon'ble Harsh Kumar,J.**

Office is directed to send a requisition to District & Sessions Judge, Budaun for sending the lower court record within two week.

List this case after three weeks.

Office is directed to send copy of this order to District & Sessions Judge, Budaun through FAX, e-mail as well as ordinary process within three days for ascertaining compliance.

**Order Date :-** 23.8.2018

Krishna