

Court No. - 70

Case :- CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438
CR.P.C. No. - 1003 of 2025

Applicant :- Dilshad

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Omvir Singh Rajpoot

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma,J.

1. Heard learned counsel for the applicant; learned A.G.A for the State and perused the record.
2. The instant Anticipatory Bail Application has been filed with a prayer to grant anticipatory bail to the applicant in Case Crime No.80 of 2020, under Sections 147, 336, 307, 323, 504, 269, 271, 188, 427, 332, 353 I.P.C. & Section 3 of Epidemic Act, 1897 & Section 51 & 54 of Management of Calamity Act, 2005, P.S. Kotwali Nagar, District Aligarh, during pendency of trial.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case due to ulterior motive. Learned counsel for the applicant submits that earlier applicant sought anticipatory bail in the aforesaid case crime and this Court by order dated 23.02.2023 granted anticipatory bail to the applicant till submission of police report under section 173(2) Cr.P.C. Learned counsel for the applicant next submits that the applicant is not named in the FIR and from perusal of statement of witnesses recorded during investigation, no offence under alleged section is made out against the applicant but Investigating Officer has submitted charge-sheet and court has taken cognizance and issued summon against the applicant. In case, the applicant is released on bail, he would not misuse the liberty of bail and would co-operate with the trial proceedings. Applicant has definite apprehension of his arrest by the police.
4. Learned A.G.A. is granted four weeks' time to file counter affidavit.
5. List this case immediately after expiry of the aforesaid period.
6. As an interim protection, till the next date of listing fixed for hearing on this application, the applicant is granted anticipatory bail in the aforesaid case. The applicant shall be released on interim anticipatory bail on furnishing a personal bond of Rs.

50,000/- with two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:-

(i) The applicant shall make himself available on each and every date fixed by the court and shall co-operate with trial proceedings.

(ii) 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 from disclosing such facts to the Court or to any police officer;

(iii) The applicant shall not leave India without the previous permission of the Court and if he has passport, the same shall be deposited by him before the S.S.P./S.P./C.P./A.C.P concerned.

(iv) The applicant shall not tamper with the evidence during the trial.

(v) The applicant shall not pressurized/intimidate the prosecution witness.

(vi) The applicant shall appear before the trial court on each date fixed unless personal presence is exempted.

Order Date :- 18.2.2025

SKD