

UPAL010062162020
PO Id.- UP5756



Presented on : 31-07-2020
Registered on : 31-07-2020
Decided on : 24-08-2020
Duration : 0 years, 0 months, 24 days

IN THE COURT OF SPECIAL JUDGE SC/ST ACT, ALIGARH

Bail Application No. 2055 & 2184 of 2020

Sirjeel Usmani s/o Tarik Mahmood Usmani, r/o H.No. 460, Avas Vikas Colony near Ikra Ghulami Kapoora, P.S. Kotwali Sadar, district Azamgarh.

V/s

State of U.P.

Crime Nos. 682 and 697 of 2019

U/ss 153A, 147, 188, 353 of IPC and 67 of I.T. Act.

P.S. Civil Lines

District Aligarh

Two separate bail applications have been moved on behalf of the applicant/accused Sirjeel Usmani with a prayer to release him on bail in case crime no. 682 and 697 of 2019 under section 153A, 147, 188, 353 of IPC and 67 of I.T. Act, Police Station Civil Lines, district Aligarh. For the sake of facilitation, both the bail applications are hereby decided by this very common order.

The learned counsel for the applicant/accused submits that the accused has been implicated falsely in this very case and he is quite innocent. It has further been mentioned that the accused is a bonafide student of Aligarh Muslim University and his academic records is of excellent category and he has written many articles with different titles which were appreciated by all who had gone through them. The accused was not at all on the place of occurrence on the date of crime allegedly averred by the prosecution. He was not even being arrested from that place. The FIR was lodged against unknown persons. No illegal material was recovered from his possession, he does not even have any criminal antecedents.

Bail has already been granted to the co-accused. Furthermore, it has been stated that the accused has been languishing in district prison since 09.7.2020. With these submissions, the bail applications have been requested for to be allowed.

On the other hand, learned ADGC (Criminal) strenuously opposed the bail and it has been prayed for to be rejected.

I have heard all concerned and perused the records.

The academic records of the accused manifests that he has been a bright student. He has written many articles which are also available on records. He is presently in jail. Co-accused persons have already been granted bail by this court, vide orders dated 29.7.2020 and 19.3.2020. The present accused has also been granted bail in two cases by order dated 3.8.2020 and 29.7.2020 in case crime no. 704 and 703 of 2019 respectively. Keeping the accused further in jail will definitely serve no purpose at all. Therefore, in consideration of the undergone period in jail by the accused and his academic records, inter alia, the case is fit and proper to grant bail to the accused.

ORDER

The bail applications are hereby allowed subject to the conditions that the accused will not tamper with the evidence and he will be present either personally or through his council before the trial court when he is asked as such. Thus, the accused shall be released on bail on his entering into a personal bond of Rs. 50,000 (rupees fifty thousand) and shall also furnish one surety of the like amount in each of the above mentioned case to the satisfaction of the concerned magistrate/court. This order shall be kept on the records of both the cases separately and the same shall be transmitted to the learned trial court for information and necessary action.

(Narendra Singh)
Special Judge SC/ST Act
Aligarh
24.8.2020