

Court No. - 5

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 9171 of 2015

Applicant :- Mohammed Ahmed Mousa Abu Zayed

Opposite Party :- State Of U.P.

Counsel for Applicant :- Shailendra Srivastava,Om Prakash Srivastava

Counsel for Opposite Party :- Govt.Advocate

Hon'ble Rajesh Dayal Khare,J.

Heard learned counsel for the applicant and learned A.G.A. for State.

The allegation is that the applicant, who is a foreign national from Jordan, was having forged passport.

Learned counsel for the applicant has drawn the attention of this Court to Annexure-7, which is a certificate issued by the Embassy of Jordan, which indicates that the passport of the applicant was genuine. It is thus argued that the applicant has been falsely implicated in the case. It is next argued that the applicant is neither a previous convict nor he has any previous criminal history. It is lastly contended that there is no possibility of the applicant of fleeing away from the judicial process or tampering with the witnesses and in case, the applicant is enlarged on bail, the applicant shall not misuse the liberty of bail. The applicant is in jail since 15.09.2014.

Learned A.G.A. has opposed the bail prayer of the applicant.

Perused the first information report as well as averments contained in the bail application.

Considering the facts and circumstances of the case as well as submissions made by learned counsel for the parties and also perusing the material on record, without expressing any opinion on merit of the case, let the applicant Mohammed Ahmed Mousa Abu Zayed, involved in Case Crime No. 911 of 2014, under Sections 419, 420, 467, 468, 471 I.P.C. and Section 14-B of Foreigners Act, 1946, Police Station Sonauli, District Maharajganj, be released on bail on his furnishing a personal bond and two local sureties each of the like amount to the satisfaction of the court concerned, subject to the following conditions:

1. The applicant shall not tamper with the prosecution evidence.
2. The applicant shall not pressurize the prosecution witnesses.
3. The applicant shall appear on the date fixed by the trial Court.

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

Order Date :- 13.4.2015

Mustaqeem.