



He further submits that the petitioner was arrested in the present case on 16.05.2023 and is in custody for the last more than 01 year and 08 months. Since the material witnesses have already been examined by the prosecution, further custody of the petitioner will not serve any meaningful purpose.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that 06 more FIRs were ordered to be registered against the petitioner. However, the petitioner has already been acquitted in two cases and has been granted the concession of suspension of sentence in one case.

4. I have heard the learned counsel for the parties and perused the record.

5. No doubt, several criminal cases have been registered against the petitioner, but the petitioner cannot be denied the concession of bail in the present case only on that ground because the petitioner has been able to make out a case for grant of bail in the peculiar facts and circumstances of the present case. The reliance can be placed on the law laid down by the Hon'ble Supreme Court in the matter of "***Prabhakar Tewari Vs. State of U.P., and another***" 2020(1) R.C.R. (Criminal) 831, wherein it has been held that the pendency of several criminal cases against the accused cannot be the basis to refuse the prayer of bail. Similar observations have been made by the Hon'ble Supreme Court in the matter of "***Maulana Mohd. Amir Rashadi Vs. State of U.P., and another***" 2012(1) R.C.R. (Criminal) 586. In the present case, the petitioner is in custody for the last 01 year and 08 months. Further, PW-1-Jaswant Singh, PW-2-Darbara Singh and PW-3-Amrik Kaur, all the material witnesses have not



supported the case of the prosecution and further custody of the petitioner will not serve any meaningful purpose.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

24.01.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No