

STATE OF HARYANA Vs. HIMANSHU

Present: Dr. Sumitra, Ld. APP for the State.  
Sh. Surit Chaubey, counsel for applicant-accused Amar.

Consideration on the bail application held.

This order shall dispose of the application under Section 480 of the BNSS for bail filed on behalf of the applicant/accused. It has been averred in the present application that accused has no previous criminal antecedents. Accusations made against the accused are based on conjectures and surmises and there exists no cogent or direct evidence to establish his culpability. Investigation in the present case is complete, making accused's detention unjustified. No fruitful purpose would be served in keeping accused incarcerated. Accused is ready to abide by the conditions of bail. In the last, prayer has been made to enlarge the accused on bail. The application is duly supported by an affidavit.

Through learned APP, reply to the application for bail has been filed, denying averments thereof, allegations against the accused as per the case of police are reiterated and also it is mentioned that if bail would be granted to the accused then he may again commit the similar offence. With this it has been prayed to dismiss the bail application of the accused.

I have heard learned counsel for applicant/accused and Learned APP.

In the present case, the prosecution has mainly opposed the bail application on the pretext that accused may repeat the commission of offence. On this, this Court is of considered view that mere apprehension that accused may repeat the commission of offence cannot be said to be ground for keeping the accused in custody. Further, prosecution has not provided any details of previous criminal history of the accused person. There is nothing on record showing that accused person is habitual offender.

In view of the aforesaid, this Court is of considered view that no fruitful purpose would be served by keeping the applicant/accused

behind the bars further. Accordingly, the present bail application is considered and allowed. Accused **Amar** through his counsel is directed to furnish personal and surety bonds in the sum of Rs.50,000/-each.

Requisite surety bonds on behalf of accused are furnished, which are accepted and attested. Personal bonds to be attested at the Jail Gate. Accused be released from custody, if not required in any other case. Release Order be issued forthwith. Concerned Ahlmad is directed to do the needful.

Accordingly, the application in hand stands **disposed of**. Papers in complete be tagged with relevant record immediately.

Now to come up on **05.03.2025**, i.e. already fixed.

Date of Order: 24.02.2025  
*Raveena*

(Vishal)  
JMFC/GGM  
UID NO . HR0546