

Court No. - 74

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Case :- CRIMINAL MISC. BAIL APPLICATION No. - 22851 of 2021

Applicant :- Manavvar

Opposite Party :- State of U.P.

Counsel for Applicant :- Umair Mahmood

Counsel for Opposite Party :- G.A.

Hon'ble J.J. Munir,J.

It is submitted by the learned Counsel for the applicant that this is a case where the applicant has become the victim of an overenthusiastic action by that rather mysterious group of policemen, who are constituted into Special Operation Groups. He has been arrested from home and falsely foisted with recovery of some cars along with motorcycles. He has been implicated along with a number of other co-accused. It is urged that when this application came up on 25.06.2021, the learned A.G.A. made a statement on the basis of instructions received that there is a case against the applicant under the U.P. Gangsters Act. He was, therefore, granted time to file a supplementary affidavit to clarify that criminal history of his. Upon verification of facts, a supplementary affidavit has been filed on behalf of the applicant on 29.06.2021, wherein it is stated that there is no case crime no.371 of 2015, under Section 3(1) of the U.P. Gangsters Act, Police Station Akbarabad, District Amroha registered against the applicant. It has been stated by the learned Counsel for the applicant that in fact there is no Police Station going by the name of Police Station Akbarabad in the district of Amroha.

The learned A.G.A. does not dispute this fact that there is no police station by that name in District Amroha. Upon an inquiry being made from the learned A.G.A. about the identity of the author of the instructions, on the basis of which statement was made on 25.06.2021, it transpires that relevant instructions were given by one Amit Kumar, a Sub-Inspector of Police, posted at Police Station Kotwali, District Bijnor.

Issue notice to Amit Kumar, Sub-Inspector of Police, Police Station Kotwali, District Bijnor to show cause why appropriate action may not be initiated against him for misleading the Court by supplying false and incorrect instructions to the learned Government Advocate in that, that there is no case crime under Section 3(1) of the U.P. Gangsters Act, Police Station Akbarabad, District Amroha

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against the applicant, so much so, that there is no police station by that name in existence in District Amroha. Cause shall be shown on 08.07.2021. On that date, Amit Kumar, Sub-Inspector, P.S. Kotwali, District Bijnor shall remain present in the office of the Government Advocate.

Lay this bail application as fresh again on **08.07.2021** at 2:00 p.m.

Let this order be communicated to Amit Kumar, Sub-Inspector, P.S. Kotwali, District Bijnor through the Superintendent of Police, Bijnor by the Registrar (Compliance) **today**.

Order Date :- 2.7.2021

Anoop