

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14665 of 2023

Applicant :- Gulab Pal

Opposite Party :- State of U.P.

Counsel for Applicant :- Ashish Kumar Pandey, Kunvar Rahul Singh

Counsel for Opposite Party :- G.A., Ashok Kumar Upadhyay, C.P. Dwivedi, Udai Prakash Deo Pandey

Hon'ble Pankaj Bhatia, J.

1. Heard learned counsel for the applicant, learned AGA and perused the record.
2. The accused-applicant seeks bail in Case Crime No.294 of 2022 under section 307 IPC, P.S. Kerakat, District Jaunpur.
3. In terms of the FIR, it was alleged that two persons including the applicant used to ply the tractor and on account of non-payment of fare, was unhappy and with the intent to kill, caused firearm injury, which resulted grievous injury.
4. Learned AGA opposes the bail application by arguing that the injuries are grievous in nature, as such, the bail application should be rejected.
5. It bears from the record that the injury suffered by the informant was on the temporal region. The applicant is in custody since 30.08.2022. Although the injuries inflicted are grievous in nature, however, considering the fact that the applicant is in custody since more than fourteen months and there is nothing on record to demonstrate that the applicant if enlarged on bail can adversely affect the trial, the applicant is entitled for the bail. Thus the bail application is allowed.
6. Let the applicant ***Gulab Pal*** be released on bail in aforesaid first information report number subject to his furnishing a personal bond and two reliable sureties of Rs.25000/- (Twenty Five Thousand) each of the like amount to the satisfaction of the court concerned with the following conditions:
 - (a) The applicant shall execute a bond to undertake to attend the hearings;
 - (b) The applicant shall not commit any offence similar to the offence of which he is accused or suspected of the commission; and
 - (c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

Order Date :- 9.11.2023

VNP/-