

**Court No. - 44**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 35085 of 2023

**Applicant :-** Sanjay @ Bheller

**Opposite Party :-** State of U.P.

**Counsel for Applicant :-** Bratendra Singh

**Counsel for Opposite Party :-** G.A.

**Hon'ble Pankaj Bhatia,J.**

- 1 Rejoinder affidavit filed in the Court today is taken on record.
2. Heard learned counsel for the applicant, learned AGA and perused the record.
3. The FIR in question was lodged by the police party, alleging that the applicant tried to fire at them.
4. Learned counsel for the applicant submit that applicant also suffered firearm injury at the instance of police party, although no injury was sustained by the police personnel. It is further submitted that the criminal history has been properly explained in the rejoinder affidavit. The applicant is in jail since 5.3.2021.
5. Learned AGA has opposed the bail application.
6. Considering the period of incarceration and there is no likelihood of the trial being concluded in near future, the applicant is entitled to be enlarged on bail. In view thereof, the application is allowed.
7. Let the applicant **Sanjay @ Bheller** be released on bail in FIR No. 46 of 2021, under Section 307 I.P.C. and section 3/25 Arms Act, P.S. Bansi, district-Siddharthnagar, on his furnishing a personal bond with two sureties of Rs.25,000/- each to the satisfaction of 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**

Faridul