

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 24030 of 2023

Applicant :- Monu Thapa

Opposite Party :- State of U.P.

Counsel for Applicant :- Bhavisya Sharma, Sarvesh Kumar Dubey

Counsel for Opposite Party :- G.A., Ritesh Kumar Singh

Hon'ble Pankaj Bhatia, J.

1. Supplementary Affidavit filed today is taken on record.
2. Heard learned counsel for the applicant, learned AGA and perused the record.
3. The accused-applicant seeks bail in Case Crime No.84 of 2023 under sections 147, 148, 323, 504, 506, 307 IPC, P.S. Civil Lines, District Prayagraj.
4. The FIR in question was lodged alleging that four persons along with ten to fifteen other persons had caused substantial injuries by the use of Lathi, Danda and sharp object as well with a butt of pistol.
5. The counsel for the applicant draws my attention to the medical report on record, which does not indicate any grievous injury. In the light of the said, it is argued that the applicant should be enlarged on bail as the co-accused Sooraj Goswami against whom similar allegations were levelled has been enlarged on bail vide order dated 12.04.2023 which is record as page 43 of the paper book. The criminal history has been explained in the supplementary affidavit.
6. Considering the fact that the co-accused with similar allegations has been enlarged on bail and the nature of the injuries sustained by the victim are not grievous in nature, the applicant is entitled for the bail. Thus the bail application is allowed.
7. Let the applicant **Monu Thapa** be released on bail in aforesaid first information report number subject to his furnishing a personal bond and two reliable sureties of Rs.25000/- 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 :- 30.10.2023

VNP/-