

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 25630 of 2023

Applicant :- Monu

Opposite Party :- State of U.P.

Counsel for Applicant :- Pushpendra Kumar Yadav

Counsel for Opposite Party :- G.A.

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.66 of 2023, under sections 323, 504, 506, 308 IPC, P.S. Sakaldeepa, District Chandauli.
3. The FIR in question was lodged alleging that the informant was hit by use of Fawara. The counsel for the applicant argues that there is no recovery of Fawara from the applicant, although the nature of the injuries corroborate the allegations levelled in the FIR. It is further argued that the applicant has no criminal antecedents and is in custody since 30.04.2023.
4. Considering the submissions made at the bar, prima facie, there is no recovery of Fawara from the applicant, as alleged in the FIR, coupled with the fact that the applicant has no criminal antecedents and there is no material on record to suggest 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.
5. Let the applicant **Monu** 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/-