

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 27295 of 2023

Applicant :- Sanju

Opposite Party :- State of U.P.

Counsel for Applicant :- Vijay Kumar Pathak, Puneet Kumar, Ram Prakash Vishwakarma, Sunil Srivastava

Counsel for Opposite Party :- G.A., Pankaj Bharti

Hon'ble Pankaj Bhatia,J.

1. Heard Sri Puneet Kumar, learned counsel for the applicant, learned AGA and perused the record.
2. The accused-applicant seeks bail in Case Crime No.203 of 2023 under section 307 IPC and section 3/25/27 Arms Act, P.S. Kotwali Shamli, District Shamli.
3. The present case arise out of a first information report, which was lodged at the instance of police authorities alleging that the applicant was engaged in a police party firing. In the said first information report, it was alleged that the applicant also sustained injuries. It was also alleged that the applicant was also involved in another cash of theft from the house of one Sri Sanjeev Kumar Garg Advocate.
4. The counsel for the applicant argues that no injury was sustained by the policy party on any vital part as is clear from the injury report handed over across the bar which indicates injury in the forearm which cannot be termed as vital part. The criminal antecedents of the applicant has been duly explained in para 12 of the application in which the applicant has been acquitted in one of the cases and is on bail in one another case. The bail application of the applicant in crime no.197 of 2023 is pending consideration before this Court.
5. Considering the nature of injuries allegedly inflicted by the applicant being on a non-vital part and the applicant who is in custody since 30.04.2023 is entitled to be enlarged on bail. Thus the bail application is allowed.
6. Let the applicant Sanju 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 :- 1.11.2023

VNP/-