

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 35985 of 2023

Applicant :- Ramratan Verma

Opposite Party :- State of U.P.

Counsel for Applicant :- Brajesh Kumar Asthana, Ajeet Kumar Singh, Anand Mohan Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma, J.

1. Heard Sri Ajeet Kumar Singh, learned counsel for the applicant, learned AGA for the State and perused the record.
2. The instant bail application has been filed with a prayer to enlarge the applicant on bail in Case Crime No.322 of 2023, under Sections 498A, 323, 377, 328, 313, 504, 506 IPC and Section 3/4 DP Act, Police Station Kotwali, District Ballia, during the pendency of trial.
3. Learned counsel for the applicants submits that the applicant has been falsely implicated in the present case. It is further contended that there is no evidence against the applicant for the offence under Sections 313, 328 and 377 IPC. Virtually the victim had herself administered finial and thereafter the applicant himself had admitted her to the hospital. There is no previous criminal history against the applicant. He is a peace loving and law abiding citizen. There is no likelihood of his abscondence or tampering with the evidence. The applicant is in jail since 16.07.2023. In case the applicant is enlarged on bail, he will not misuse the said liberty.
4. Learned AGA has vehemently opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions advanced by the learned counsel for the applicant from the record.
5. Having regard to the facts, circumstances and the submissions made but without commenting on merits of the case, this Court is of opinion that the applicant is entitled to be enlarged on bail. Accordingly, the bail application is allowed.
6. Let the applicant - **Ramratan Verma**, involved in the aforesaid case be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction

of the court concerned subject to the conditions that he:

(i) shall appear on the date fixed by the trial court;

(ii) shall not tamper with the prosecution evidence;

(iii) shall not pressurize the prosecution witnesses.

(iv) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence, proclamation under Section 82 CrPC may be issued and if applicant fails to appear before the Court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him in accordance with law

7. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

Order Date :- 1.12.2023

Shahroz