

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 37826 of 2023

Applicant :- Vikas Gihar

Opposite Party :- State of U.P.

Counsel for Applicant :- Kuldeep Kumar Gupta

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia,J.

1. Supplementary affidavit filed today in Court is taken on record.
2. Heard learned counsel for the applicant, learned AGA and perused the record.
3. The FIR in question was lodged against the applicant who is the husband of causing injuries on account of demand of dowry.
4. Learned counsel for the applicant argues that on the basis of the injury report which is on record, all the injuries are caused by sharp object and said to be simple in nature. The applicant is in custody since 15.02.2023 and has one case of criminal antecedent prior to the offence in question, under Section 147, 323, 452, 504 IPC of which the applicant has no knowledge.
5. Learned AGA has opposed the bail application.
6. Considering the fact that the applicant is in custody since 15.02.2023 and the injuries are simple in nature, the applicant is entitled to be enlarged on bail as there is no threat of the prosecution getting adversely affected. In view thereof, the application is ***allowed***.
7. Let the applicant ***Vikas Gihar*** be released on bail in FIR No.18 of 2023, under Section 307, 498A IPC & Section 3, 4 of Dowry Prohibition Act, P.S. Kannauj, District Kannauj 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 :- 30.10.2023

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