

Court No. - 44

Case :- CRIMINAL MISC. BAIL CANCELLATION
APPLICATION No. - 604 of 2023

Applicant :- Vijay Kumar Upadhyay

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Ram Pravesh Yadav, Shashank Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia, J.

1. Heard learned counsel for the applicant as well as learned A.G.A. and perused the record.
2. The present bail application has been filed for cancellation of the bail granted to the accused by the lower court on 06.07.2023.
3. The contention of the Counsel for the applicant is that subsequent to the release of the accused, on 12.07.2023, the accused threatened the witnesses for which a separate FIR was got registered under Sections 504, 506 IPC with Case Crime No.0302 of 2023.
4. There is no material on record to demonstrate that any application before the trial court for granting witness protection has been filed. In view thereof, simply lodging of an FIR would not be a ground for cancelling the bail granted to the accused.
5. The application is **rejected**. However, the applicant would be at liberty to move an appropriate application before the trial court for grant of witness protection, which shall be considered by the trial court in accordance with law.

Order Date :- 7.11.2023

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