

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 41512 of 2023

Applicant :- Mohsin

Opposite Party :- State of U.P.

Counsel for Applicant :- Pavan Kumar

Counsel for Opposite Party :- G.A.,Lal Bahadur

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 FIR in question was lodged alleging that two persons named in the FIR i.e. the applicant and one co-accused Faeem caused injuries by the use of Fawda. In the statement of the victim, which is on record, it was alleged that both the accused had caused injuries by the use of Fawda.

3. It is argued by the Counsel for the applicant that the co-accused Faeem has been enlarged on bail by this Court vide order dated 23.08.2023 and the applicant has no criminal history.

4. Learned A.G.A. vehemently opposed the bail prayer.

5. Considering the nature of injuries suffered by the victim, which has also been mentioned in the bail order of Faeem and the fact that the co-accused Faeem on similar allegations has been enlarged on bail coupled with the fact that the applicant has no criminal history and is in custody since 20.03.2023, I am of the view that the applicant is entitled to be released on bail.

6. Accordingly, the bail application is ***allowed***.

7. Let the applicant ***Mohsin*** be released on bail in FIR/ Case Crime No.216 of 2023, under Sections 307, 323, 504 IPC, Police Station Kotwali City, District Bijnor on his furnishing personal bonds and two reliable sureties of Rs.25,000/- each 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 :- 31.10.2023

akverma