

**Court No. - 75**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 41954 of 2023

**Applicant :-** Ashish Tripathi

**Opposite Party :-** State of U.P.

**Counsel for Applicant :-** Om Prakash Chaube

**Counsel for Opposite Party :-** G.A.

**Hon'ble Umesh Chandra Sharma,J.**

1. Heard Sri Om Prakash Chaube, learned counsel for the applicant, and learned A.G.A. for the State and perused the records.
2. The instant bail application, has been filed with a prayer to enlarge the applicant on bail in Case Crime No. 366 of 2023, under Sections 333, 332 353, 504, 506, 427 I.P.C, and under Section 7 Criminal Law Amendment Act, Police Station Kotwali Nagar Mahoba, District Mahoba, during pendency of the trial.
3. Learned counsel for the applicant submits that injuries are simple in nature. Learned counsel for the applicant has further submitted that 12 criminal cases have been explained by the applicant and in all 12 cases he is on bail. Though, the injuries are simple which were caused by the leg, fists and sticks but the same has been caused while the police men were working aware on duty. The applicant is languishing in jail since 16.08.2023, in case he is enlarged on bail, he will not misuse the said liberty, and there is no likelihood of abscondence or tampering with evidence.
4. Learned A.G.A. has opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.
5. Having regard to the submissions made but without commenting on merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.
6. Let the applicant, **Ashish Tripathi**, involved in the aforesaid case be released on bail on his furnishing a personal bond and two sureties each of the like amount to the satisfaction of court concerned on the following conditions that:

- i. the applicant shall not temper with the prosecution evidence;
- ii. the applicant shall not pressurize the prosecution witness;
- iii. the applicant shall appear on each and every date fixed by the trial court.
- iv. the applicant is directed to appear in any day of first week of the month before the concerned S.H.O. to show any establish his bona fide.

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 :- 2.11.2023**

Vikram