

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 43203 of 2023

Applicant :- Himanshu Verma

Opposite Party :- State of U.P.

Counsel for Applicant :- Mrityunjay Dwivedi, Inder Pal Singh Tomar

Counsel for Opposite Party :- G.A., Syed Irfan Ali

Hon'ble Pankaj Bhatia, J.

1. Heard learned counsel for the applicant, learned AGA for the State, Shri Syed Irfan Ali, learned counsel appearing for complainant and perused the record.

2. The FIR in question was lodged alleging that persons named in the FIR including the applicant with a view to cause ruckus entered the shop of the informant and caused substantial injuries. Learned counsel for the applicant argues that a cross FIR was lodged at the instance of the applicant also in which the applicant also sustained substantial injuries.

3. With regard to the injuries sustained, my attention has been drawn to the nature of injuries sustained which indicate partly injuries which are simple in nature and partly which are slightly grievous in nature.

4. Learned AGA has opposed the bail application.

5. Considering the fact that cross FIRs was lodged, the applicant is in custody since 21.08.2023 and was not named as the main culprit in the FIR and has no criminal antecedent, as such, the applicant is entitled to be enlarged on bail. In view thereof, the application is ***allowed.***

6. Let the applicant ***Himanshu Verma*** be released on bail in FIR No.611 of 2023, under Section 147, 307, 325, 323, 504, 506, 324, 326 IPC, P.S. Khair, District Aligarh 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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