

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 43289 of 2023

Applicant :- Amarjeet Yadav

Opposite Party :- State of U.P.

Counsel for Applicant :- Ramesh Kumar Chaurasia

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma,J.

1. Heard Sri Ramesh Kumar Chaurasia, learned counsel for the applicant, Sri Pankaj Kumar Tripathi, learned AGA for the State and perused the record.

2. By means of the present bail application, the applicant seeks bail in Case Crime No.204 of 2023, under Sections 305, 504 IPC, Police Station Phephana, District Ballia, during the pendency of trial.

3. It is argued by the learned counsel for the applicant that the applicant is innocent and has falsely been implicated in the present case. There is delay in lodging the FIR for which no plausible explanation has been given by the prosecution. It is also contended that the victim was in love with the applicant for which family members of the victim tortured her due to which she committed suicide. There is no previous criminal history against the applicant. There is no likelihood of his abscondence or tampering with the evidence. He is in jail since 05.08.2023. In case the applicant is enlarged on bail, he will not misuse the said liberty.

4. Learned AGA has vehemently opposed the bail application and submitted that the delay cannot be the sole ground to grant bail to the applicant. It is also contended that a girl of tender age

has committed suicide on account of abetment from the side of the applicant which is crystal clear from the FIR and also in the statement of the informant recorded under Section 161 CrPC which shows that the family members of the applicant reached at the house of the informant and abused the deceased and blamed her saying that due to her conduct, the applicant was disgraced in the society.

5. Considering the facts and circumstances of the case, contents of the FIR and the statement of the informant recorded under Section 161 CrPC as well it is prima facie very much clear that the deceased was abetted from the side of the applicant, this Court is not inclined to grant him bail.

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

Order Date :- 24.11.2023

Shahroz