

Court No. - 65

Case :- CRIMINAL MISC. BAIL CANCELLATION
APPLICATION No. - 654 of 2023

Applicant :- Ganga Charan

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

Counsel for Applicant :- Umesh Chandra Prajapati

Counsel for Opposite Party :- G.A., Ram Kishor Gupta

Hon'ble Rajeev Misra, J.

1. Heard Mr. V.C. Prajapati, the learned counsel for applicant, the learned A.G.A. for State and Mr. Dinesh Kumar Gupta, Advocate, holding brief of Mr. Ram Kishor Gupta, the learned counsel representing first informant.

2. Counter affidavit filed by the learned counsel representing accused-opposite party 2 in Court today, is taken on record.

3. The solitary ground which has been raised for cancellation of bail granted to accused-opposite party 2 is to the effect that after the accused-opposite party 2 was enlarged on bail, various criminal acts have been committed by him including by assaulting the family members of the first informant/applicant.

4. On this issue, the Court raised a pointed query as to whether any FIR has been lodged against accused-opposite party 2 or not. The learned counsel for applicant could not submit any satisfactory reply.

5. Considering the fact that ground raised in the affidavit seeking cancellation of bail are not substantiated by any material evidence, therefore, the factual plea raised on behalf of applicant for cancellation of bail granted to accused-opposite party 2 is unworthy of reliance.

6. In view of above, this application for cancellation of bail fails and is liable to be rejected.

7. It is accordingly **rejected**.

Order Date :- 11.12.2023

Vinay