

Court No. - 66

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 43807 of 2023

Applicant :- Rinku @ Vikky

Opposite Party :- State of U.P.

Counsel for Applicant :- Sangam Lal Kesharwani, Ajay Kumar Tiwari

Counsel for Opposite Party :- G.A., Krishna Kant Yadav

Hon'ble Ajay Bhanot, J.

By means of the bail application the applicant has prayed to be enlarged on bail in Case Crime No.67 of 2023 at Police Station-Kaimari, District-Rampur under Sections 302/34 IPC. The applicant is in jail since 21.08.2023.

The bail application of the applicant was rejected by the learned trial court on 01.09.2023.

The following arguments made by Shri Sangam Lal Kesharwani, learned counsel on behalf of the applicant, which could not be satisfactorily refuted by Shri Krishna Kant Yadav, learned counsel for the informant and Shri Paritosh Kumar Malviya, learned AGA-I from the record, entitle the applicant for grant of bail:

1. The vague and general role have been assigned to the applicant in the F.I.R.
2. The first informant has identified the principal offenders namely Jagveer and Sudhir who inflicted the fatal injuries which caused the death of the deceased.
3. The applicant is the son-in-law of the principal offenders. The latter alone had enmity with the deceased. The applicant has been roped in only to wreak vengeance

on the entire family.

4. The case of the applicant is distinguishable from the aforesaid principal offenders.

5. The applicant does not have any criminal history apart from this case.

6. The applicant is not a flight risk. The applicant being a law abiding citizen has always cooperated with the investigation and undertakes to cooperate with the court proceedings. There is no possibility of his influencing witnesses, tampering with the evidence or reoffending.

In the light of the preceding discussion and without making any observations on the merits of the case, the bail application is allowed.

Let the applicant-Rinku @ Vikky be released on bail in the aforesaid case crime number, on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court below. The following conditions be imposed in the interest of justice:-

(i) The applicant will not tamper with the evidence or influence any witness during the trial.

(ii) The applicant will appear before the trial court on the date fixed, unless personal presence is exempted.