

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 43775 of 2023

Applicant :- Deepak @ Naim

Opposite Party :- State of U.P.

Counsel for Applicant :- Manava Nand Chaurasiya, Kranti Kiran Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma, J.

1. Heard learned counsel for the applicant, learned A.G.A for the State and perused the record.
2. The instant bail application, under Section 439 Cr.P.C of the Code of Criminal Procedure, 1973, has been filed with a prayer to enlarge the applicant on bail in Case Crime No. 0687 of 2020, under Sections 307, 504 I.P.C, Police Station- Dhoomanganj, District Prayagraj, during the pendency of trial.
3. Counsel for the applicant submitted that the applicant has been falsely implicated in the instant case and has nothing to do with the instant case
4. It is argued by the learned counsel for the applicant-accused that applicant is not a previous convict and has no past record of being involved in any criminal proceeding.
5. The learned A.G.A contended that if such defence has been taken, the same would be more serious charge against the applicant.
6. In view of the nature and injury, it appears that the weapon used in commission of the crime are dangerous to have been caused injury on the vital part of the neck by the preset applicant, therefore he cannot take parity of bail order of the another accused.
7. Considering the nature of injury and weapons used in commission of crime as well as facts and circumstances of the case, this Court is of the considered view that the grounds mentioned in the bail application are neither sufficient nor satisfactory to release the applicant on bail. The bail application is devoid of merit and is liable to be dismissed at this stage.
8. Accordingly, the bail application is rejected **at this state.**

Order Date :- 3.11.2023

Vinod.