

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 44804 of 2023

Applicant :- Anurag @ Raj Yadav

Opposite Party :- State of U.P.

Counsel for Applicant :- Vinod Kumar Ojha, Sitaram Patel

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia, J.

1. Heard learned counsel for the applicant, learned AGA and perused the record.
2. The FIR in question was lodged alleging that as many as 8 persons named and 4 - 5 unnamed persons in the FIR came to the shop of the informant and demanded Rs.30,000/-. On failing to pay, they took out a pistol and caused injuries which resulted in the glasses being broken and injury to two persons namely Lavleen and Sandeep.
3. Counsel for the applicant argues that general allegations have been levelled against all the persons. He argues that one of the co-accused Aryan @ Kanha has been enlarged on bail vide order dated 22.09.2023 contained in Annexure - 8. He further draws my attention to the medical report on record which does not indicate any substantial injury and the injury is said to be minor. As regards the use of firearm, although the same was assigned to the applicant in the statement, which is on record, from the perusal of the injury report, no substantial injury was caused.
4. Learned AGA has opposed the bail application.
5. In view of the nature of the injuries sustained and the general allegations levelled in the FIR coupled with the fact that the co-accused has been enlarged on bail, the applicant who has only one criminal antecedent as disclosed in Para - 18 wherein he is on bail, is entitled to be enlarged on bail. In view thereof, the application is ***allowed.***
6. Let the applicant **Anurag @ Raj Yadav** be released on bail in FIR No.300 of 2023, under Section 147, 148, 149, 504, 384, 386, 307, 506 IPC, P.S. Rasoolpur, District Firozabad 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 :- 1.11.2023

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