

Court No. - 74

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 44700 of 2023

Applicant :- Manjeet

Opposite Party :- State of U.P.

Counsel for Applicant :- Sheeba Rizvi

Counsel for Opposite Party :- G.A.

Hon'ble Vivek Varma,J.

1. Heard learned counsel for the applicant and Sri Shashank Shekhar Pandey, learned A.G.A. for the State-opposite party.
2. The instant bail application under Section 439 Cr.P.C. has been filed with the prayer to enlarge the applicant on bail in Case Crime No. 258 of 2023, under Sections 307, 324 I.P.C. and 4/25 Arms Act, Police Station Tanda, District Rampur during the pendency of the trial.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the instant case. The applicant is in jail since 10.07.2023 having no criminal history.
4. Learned AGA has opposed the prayer for bail.
5. Having heard learned counsel for the parties and after perusal of the record, the Court prima facie finds that as per the prosecution version, specific role of causing injury by knife has been assigned to the applicant. As per the medical report, the injured has sustained two injuries on his neck, "(1) I.W. over left side neck 4.0 x 2.5 cm x muscle deep, 7.00 cm below left ear, bleeding present; and (2) I.W. over right side neck 2.00 x 3.00 cm x muscle deep, 4.00 cm below right ear, bleeding present". The injury is grievous in nature. The injured was hospitalized for about ten days. The weapon of assault was also recovered at the pointing out of the applicant. The prosecution case is supported by the informant as well as injured and the medical examination report of the injured corroborates the prosecution case.
6. Accordingly, the bail application is rejected.
7. It is made clear that the observations made in this order shall have no bearing on the merits of the case.
8. The trial court is directed to conclude the trial expeditiously.
9. Office is directed to send a copy of this order to the trial court forthwith.

Order Date :- 9.11.2023