

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 44810 of 2023

Applicant :- Rahul @ Gaurav

Opposite Party :- State of U.P.

Counsel for Applicant :- Aishwarya Pratap Singh

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. In terms of the FIR, it was alleged that on 15.6.2022 the applicant along with two unknown persons caused substantial injuries to the informant and bite of his ear with teeth.
3. Learned counsel for the applicant submits that the applicant has no criminal antecedents to his credit and the medical report indicates that the injuries caused by sharp edge object prima-facie does not corroborate the allegations made in the FIR. It is further submitted that applicant is in jail since 24.9.2023.
4. Learned AGA has opposed the bail application.
5. Considering the medical report, which is of variance of the FIR and the fact that applicant has no criminal history, he is entitled to be enlarged on bail. In view thereof, the application is allowed.
6. Let the applicant **Rahul @ Gaurav** be released on bail in FIR No. 166 of 2022, under sections 323, 326 and 504 I.P.C., P.S. Nawabganj, district-Kanpur Nagar, 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 :- 21.11.2023

Faridul