

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 45556 of 2023

Applicant :- Salman

Opposite Party :- State of U.P.

Counsel for Applicant :- Shweta Singh, Rakesh Kumar Maurya

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 against entire family members who are six in number, including the applicant. In the FIR, the allegation against the applicant was that he had caused injuries by use of rifle butt. Subsequently, after the investigation, the charge-sheet was filed against one of the co-accused and no charge-sheet was filed against the applicant. Subsequent thereto, on an application filed, the applicant has been summoned in exercise of powers under Section 319 Cr.P.C.
3. Learned AGA has opposed the bail application.
4. Considering the nature of the allegations levelled against the applicant and the medical report, which is on record, which does not indicate any grievous injury coupled with the fact that the applicant was also not charge-sheeted at the first instance and has no criminal antecedent, the applicant is entitled to be enlarged on bail. In view thereof, the application is **allowed**.
5. Let the applicant **Salman** be released on bail in FIR No.85 of 2021, under Section 307, 34 IPC, P.S. Civil Lines, District Aligarh 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 :- 30.10.2023

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