

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 47389 of 2023

Applicant :- Vinay Yadav

Opposite Party :- State of U.P.

Counsel for Applicant :- Shyamu Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia,J.

1. Heard learned counsel for the applicant as well as learned A.G.A. and perused the record.

2. In terms of the FIR, it was alleged that all the persons named in the FIR came near the water tank constructed near the pond and started altercation with the informant. They also threatened to kill the informant. As regards the applicant, it was alleged that he was a part of a group which caused injuries and thereafter the allegations are levelled against Sanjay Yadav stating that he caused injuries on the head by the use of iron rod.

3. In the light of the abovesaid, the counsel for the applicant argues that no injury was attributed to the applicant and the major injuries are attributed to the co-accused Sanjay Yadav. He further argues that the applicant has no criminal antecedents.

4. Learned A.G.A. vehemently opposed the bail prayer.

5. Considering the general nature of allegations against the applicant and the fact that the applicant has no criminal history, I am of the view that the applicant is entitled to be released on bail. Accordingly, the bail application is **allowed**.

6. Let the applicant **Vinay Yadav** be released on bail in FIR/ Case Crime No.337 of 2023, under Sections 147, 323, 308, 504, 506 IPC, Police Station Pipiganj, District Gorakhpur on his furnishing personal bonds and two reliable sureties of Rs.25,000/- each to the satisfaction of the 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 :- 7.11.2023

akverma