

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 47398 of 2023

Applicant :- Parvej

Opposite Party :- State of U.P.

Counsel for Applicant :- Lok Nath Shukla, Ram Kumar Pandey

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. The FIR in question was lodged alleging that three persons including the applicant came to the shop of the informant and caused severe injuries to his father. The injury report on record indicates fracture on parietal bone on the left side.

3. The Counsel for the applicant argues that a cross FIR was also lodged at the instance of the applicant, who also sustained injuries, which indicates that the applicant had received lacerated wound on the right temporal of the scale. Although the said injuries are simple in nature, the submission of the Counsel for the applicant is that an altercation took place which led to the fight. The Counsel for the applicant argues that the applicant has no criminal antecedent.

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

5. Considering the fact that the case arises out of a cross FIR and the applicant has no criminal antecedents, 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 ***Parvej*** be released on bail in FIR/ Case Crime No.384 of 2023, under Sections 307, 323, 324, 504, 506 IPC, Police Station Shikohabad, District Firozabad 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

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