

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 47268 of 2023

Applicant :- Ajay Yadav @ Kalle Yadav

Opposite Party :- State of U.P.

Counsel for Applicant :- Awadhesh Kumar Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia,J.

1. Heard learned counsel for the applicant, learned AGA; Shri Ajay Mishra, learned counsel for the informant and perused the record.

2. The FIR in question was lodged alleging that the persons named in the FIR, who are 5 named and 15 unnamed, had caused substantial injury to the informant. Counsel for the applicant argues that general allegations were levelled against all the accused. As regards the injury, the applicant draws my attention to Annexures 2 & 3 which do not indicate any fracture on any vital part. For injury nos.1 & 2, the victim was referred to further treatment. The supplementary medical report on record indicates the head to be normal in the CT scan carried out. In the statement of the victim also, all the persons were named without there being any specific allegation against anyone. The applicant has one criminal antecedent of an offence under Section 323 IPC in which he is on bail.

3. Learned AGA has opposed the bail application.

4. Considering the nature of allegations being general, the injury report not indicating any vital injury and the fact that in the sole case against the applicant, he is on bail, as such, the applicant is entitled to be enlarged on bail. In view thereof, the application is ***allowed.***

5. Let the applicant ***Ajay Yadav @ Kalle Yadav*** be released on bail in FIR No.417 of 2023, under Section 147, 323, 324, 352, 307 IPC, P.S. Pharenda, District Maharajganj 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 :- 6.11.2023

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