

Court No. - 74

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 47645 of 2023

Applicant :- Vinod Kushwaha

Opposite Party :- State of U.P.

Counsel for Applicant :- Phool Singh Yadav, Vaibhav Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Vivek Varma, J.

1. Supplementary affidavit filed by counsel for the applicant is taken on record.
2. Heard counsel for the applicant and Sri Neeraj Kumar Tripathi, learned AGA for the State.
3. The instant bail application has been filed with a prayer to enlarge the applicant on bail in Case Crime No. 97 of 2023, under Sections 323 and 307 of I.P.C., Police Station- Narwal, District- Kanpur Nagar.
4. Counsel for the applicant contends that the applicant has been falsely implicated in the present case. The applicant is in jail since 20.08.2023, having no criminal history.
5. Learned AGA for the State and counsel for the informant have opposed the prayer for bail.
6. Having heard counsel for the parties and having perused the record this Court prima facie finds that specific role of causing injury on the head of the informant and her husband has been assigned to the applicant. As per the medical reports, both the injured sustained injuries. As per the CT-Scan of the husband of the informant, Ram Prakash "Depressed fracture of right high parietal region" was found. As per the report of the doctor dated 29.08.2023, the injury was found grievous in nature and was caused by a blunt hard object. The prosecution case is supported by the statements of both the injured persons, and the medical examination report of the injured corroborates the prosecution case.
7. Accordingly, the bail application is rejected.
8. It is made clear that the observations made in this order shall have no bearing on the merits of the case.

9. However, it is observed that the trial court would endeavour to conclude the trial expeditiously.

10. A copy of this order may be communicated to the learned trial Judge through the District Judge, Kanpur Nagar by the Registrar (Compliance) of this Court forthwith.

Order Date :- 8.11.2023

Sachin Mishra