

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 47573 of 2023

Applicant :- Manoj Dohre And 2 Others

Opposite Party :- State of U.P.

Counsel for Applicant :- Ambreesh Kumar

Counsel for Opposite Party :- G.A.,Arvind Kumar Dixit

Hon'ble Pankaj Bhatia,J.

1. Heard learned counsel for the applicant, Sri Dhruv Kumar Dixit holding brief of Sri Arvind Kumar Dixit the counsel for the informant as well as learned AGA and perused the record.

2. The accused-applicant seeks bail in Case Crime No.550 of 2023 under sections 147, 148, 323, 506, 352, 307 IPC, P.S. Dibiyaaur, District Auraiya.

3. The FIR in question was lodged against as many as against eleven persons causing substantial injuries to the son of the co-brother of the informant. Subsequently, in the statement of the victim, the role of firing was assigned to one Sonu and the others were assigned the general role of hitting with Lathi and Danda.

4. The counsel for the applicants argues that from the nature of the injuries, except for the injury sustained on account of gunshot fire on the elbow, no injury was specifically assigned to any of the applicants, the applicants have no criminal antecedents and are in jail since 17.09.2023.

5. The counsel for the informant very strongly opposes the bail application by arguing that the nature of the injuries are severe, as such, the bail application should be rejected.

6. Considering the submissions made at the bar, prima-facie general role of causing injuries by the use of Lathi and Danda was assigned to all the accused including the applicant and the role of firearm injury was not assigned to the applicants, coupled with the fact that the applicants have no criminal antecedents, the applicants are entitled for the bail. Thus the bail application is allowed.

7. Let the applicants ***Manoj Dohre, Sudhir and Kuldeep*** be

released on bail in aforesaid first information report number subject to their furnishing a personal bond and two reliable sureties of Rs.25000/- (Twenty Five Thousand) each of the like amount to the satisfaction of the court concerned with the following conditions:

- (a) The applicants shall execute a bond to undertake to attend the hearings;
- (b) The applicants shall not commit any offence similar to the offence of which he is accused or suspected of the commission; and
- (c) The applicants 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

VNP/-