

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 47538 of 2023

Applicant :- Mumshad

Opposite Party :- State of U.P.

Counsel for Applicant :- Shekhar Gangal

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 brother of the informant was attacked by the applicant by using a surgical knife.
3. Subsequently, the informant as well as the victim had given affidavits that he had sustained the injuries on account of certain pointed objects in the shutter of the shop of the victim.
4. Learned A.G.A. vehemently opposed the bail prayer.
5. In view of the said affidavits which are on record, prima facie, they are not supporting the prosecution story, as the applicant has no criminal history and there is nothing on record to demonstrate that the applicant if enlarged on bail, would in any way adversely affect the trial and without expressing any opinion on merit, I am of the view that the applicant is entitled to be released on bail.
6. Accordingly, the bail application is allowed.
7. Let the applicant **Mumshad** be released on bail in FIR/ Case Crime No. 583 of 2023, under Sections 307 IPC, P.S. Civil Lines, District Aligarh, 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

S.A.