

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 49122 of 2023

Applicant :- Jitendra Singh

Opposite Party :- State of U.P.

Counsel for Applicant :- Manvendra Singh

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma,J.

1. Heard learned counsel for the applicant, learned AGA for the State and perused the record.

2. The instant bail application has been filed with a prayer to enlarge the applicant on bail in Case Crime No.182 of 2023, under Sections 323, 324, 307 IPC, Police Station Kalyanpur, District Fatehpur, during the pendency of trial.

3. Learned counsel for the applicant submits that the applicant has not committed any offence. It is further contended that the deponent, who has been shown to be the first informant, herself stated in her affidavit that the applicant has not assaulted her and she has not lodged any FIR against the him. The injured, Raj Kumari has sustained injuries accidentally when she fell down in the room; the injuries are simple in nature. The applicant has no previous criminal history. There is no likelihood of their abscondence or tampering with the evidence. The applicants are in jail since 20.07.2023. In case the applicant is enlarged on bail, he will not misuse the said liberty.

4. Learned AGA and learned counsel for the informant have opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.

5. Having regard to the facts, circumstances and the submissions made but without commenting on merits of the case, this Court is of opinion that the applicant is entitled to be enlarged on bail. Accordingly, the bail application is allowed.

6. Let the applicants - Jitendra Singh, involved in the aforesaid case be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to the conditions that he:

(i) shall appear on the date fixed by the trial court;

(ii) shall not tamper with the prosecution evidence;

(iii) shall not pressurize the prosecution witnesses.

7. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

Order Date :- 20.11.2023

Shahroz