

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 48370 of 2023

Applicant :- Raju

Opposite Party :- State of U.P.

Counsel for Applicant :- Rama Yadav, Tripurari Pal

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. In terms of the FIR, it was alleged that two persons named in the FIR and two unknown persons came and attacked the father of the informant with a knife, which resulted into grievous injuries.
3. The Counsel for the applicant argues that in terms of the injury report, which is on record at page 23, two incised wound were shown, which cannot be termed as grievous. He also draws my attention to the CT Scan to show that no substantial injuries was caused. Although in the statement of the victim, the name of the applicant surfaced of causing injuries, however, the nature of the injuries cannot be termed as severe.
4. Learned A.G.A. vehemently opposed the bail prayer.
5. Considering the nature of injuries which is not fatal coupled with the fact that the applicant has no criminal antecedents and is in custody since 28.06.2023, I am of the view that the applicant is entitled to be released on bail. Accordingly, the bail application is ***allowed***.
6. Let the applicant ***Raju*** be released on bail in FIR/ Case Crime No.119 of 2023, under Sections 307, 506 IPC, Police Station Puramufti, District Prayagraj 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 :- 9.11.2023

akverma