

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 48409 of 2023

Applicant :- Anand Gupta @ Anand Balmiki

Opposite Party :- State of U.P.

Counsel for Applicant :- Ashish Dwivedi

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 emanates from a police party firing allegations, in which no injuries have been sustained by the informant.
3. The FIR was registered against two unknown persons, subsequently, on the basis of investigation, the application was implicated with the offence in question. The applicant has no criminal history.
4. Learned A.G.A. vehemently opposed the bail prayer.
5. Considering the facts that the applicant was not named in the FIR, no one else has received any injury so as to implicate the applicant under Section 307 IPC, the name of the applicant surfaced in the video footage, 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 **Anand Gupta @ Anand Balmiki** be released on bail in FIR/ Case Crime No. 607 of 2023, under Sections 353, 307, 153A IPC & 7 Criminal Law Amendment Act & 3/25 Arms Act, P.S. Baradari, District Bareilly, 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

S.A.