

Court No. - 70

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 48803 of 2023

Applicant :- Ronit Alias Rohit

Opposite Party :- State of U.P.

Counsel for Applicant :- Pavan Kishore, Pavan Kishore

Counsel for Opposite Party :- G.A., Abhishek

Hon'ble Sameer Jain, J.

1. Heard Shri Pavan Kishore, learned counsel for the applicant, Shri Amar Nath Vishwakarma, learned Brief Holder for the State-respondent and Shri Abhishek, learned counsel for the informant.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No.129 of 2023, under Section 323, 452, 504, 506, 308, 302, 34 I.P.C., Police Station Hastinapur, District Meerut, during pendency of the trial in the court below.
3. FIR of the present case was lodged against applicant and three others and according to the FIR, on 02.06.2023 applicant and other accused persons after entering in the house of the informant made assault. It is further alleged that applicant caused injury to Sachin and Parvinder, co-accused Lavkush caused injury to Gaurav and co-accused Ahsok caused injury to Satpal. It is further mentioned in the F.I.R. that due to the injury sustained by injured Satpal subsequently he died.
4. Learned counsel for the applicant submits that totally on the basis of false allegation applicant has been made accused in the present matter alongwith three others and he never participated in the alleged incident.

5. He further submits that even as per the allegation, applicant did not cause any injury to the deceased Satpal and as per allegation, he caused injury to the two injured namely; Sachin and Parvinder.

6. He next submits that the co-accused Ashok and Lavkush, who also caused injury to two other injured, have already been released on bail by Co-ordinate Bench of this Court vide orders dated 03.11.2023 and 16.11.2023 passed in Criminal Misc. Bail Application Nos.47014 of 2023 and 48793 of 2023, respectively.

7. He further submitted that the applicant is not having any criminal history and he is in jail in the present matter since 03.06.2023, therefore, he may be released on bail.

8. Per contra, learned Brief Holder for the State-respondent and learned counsel for the informant opposed the prayer for bail but could not dispute the argument on facts advanced by learned counsel for the applicant.

9. I have heard learned counsel for both the parties and perused the record of the case.

10. Considering the fact that applicant did not cause any injury to the deceased Satpal and only allegation against him, he caused injury to two injured persons namely Sachin and Parvinder and two co-accused Ashok and Lavkush, who also caused injury to two other injured, have already been released on bail, in my view, applicant is entitled to be released on bail.

11. Accordingly, without expressing any opinion on the merits of the case, the instant bail application is **allowed**.

12. Let the applicant- **Ronit Alias Rohit**, be released on bail in the

aforesaid case on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned with the following conditions:-

(i) The applicant shall appear before the trial court on the dates fixed, unless his personal presence is exempted.

(ii) The applicant shall not directly or indirectly, make 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 any police officer or tamper with the evidence.

(iii) The applicant shall not indulge in any criminal and anti-social activity.

13. In case of breach of any of the above condition, the prosecution will be at liberty to move an application before this Court for cancellation of the bail of the applicant.

14. It is clarified that the observations made herein are limited to the facts brought in by the parties pertaining to the disposal of bail application and the said observations shall have no bearing on the merits of the case during trial.

Order Date :- 23.11.2023
Zafar