

Court No. - 75

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 49927 of 2023

Applicant :- Ram Karan And Another

Opposite Party :- State of U.P.

Counsel for Applicant :- Vinay Singh, Atul Tej Kulshrestha

Counsel for Opposite Party :- G.A.

Hon'ble Umesh Chandra Sharma, J.

1. Heard Sri Vinay Singh, learned counsel for the applicants, learned AGA for the State and perused the record.

2. By means of this bail application, applicants seek bail in Case Crime No. 424 of 2023, under Sections 147, 148, 149, 323, 352, 325, 452, 506, 308 IPC, Police Station Kosi Kala, District Mathura, during the pendency of trial.

3. It is submitted by learned counsel for the applicants that the applicants are innocent and have been falsely implicated in the present case. The present FIR has been lodged as a counter blast of the FIR lodged by the applicant no. 2. There is general allegation against the applicants. The injuries sustained by the other side are simple in nature. The criminal history of one case has been explained against the applicant No. 1 and 3 cases against the applicant No. 2 by way of supplementary affidavit. There is no likelihood of their abscondence or tampering with the evidence. The applicants are in jail since 13.10.2023. In case the applicants are enlarged on bail, they will not misuse the said liberty.

4. Learned AGA has 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 applicants are entitled to be enlarged on bail. Accordingly, the bail application is allowed.

6. Let the applicants - **Ram Karan and Parshu Ram** involved in the aforesaid case crime 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 :- 13.12.2023

RPD