

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 205 of 2023

Applicant :- Om Prakash

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Lko.

Counsel for Applicant :- Shailesh Kumar Singh, Shobh Nath Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Shailesh Kumar Singh, learned counsel for the applicant, Sri Amitabh Chaturvedi, learned A.G.A. for the State and perused the records.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No.504 of 2022, under Sections 323, 504, 506, 308, 325 I.P.C., registered at Police Station Hargaon, District Sitapur.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 08:05 Hours on 30.08.2022 against three persons, including the applicant, alleging that the informant's son was doing some notorious activities in front of the informant's house at about 7 PM on 29.08.2022 and when the informant forbade him, the accused persons abused and assaulted the informant with kicks, fists and sticks.

4. Medico legal examination report of the informant mentions three injuries and as per supplementary report, two of them are fractures on his head and shoulder.

5. In the statement of the victim recorded under Section 164 Cr.P.C., he stated that the injuries were caused by the applicant.

6. In the affidavit filed in support of bail application it has been stated that the applicant is innocent, he has been falsely implicated in the present case and he has no criminal history.

7. Having considered the aforesaid facts and circumstances of the

case and keeping in view the fact that the victim has categorically assigned the role of causing injuries to the applicant, I am of the view that the aforesaid facts do not warrant exercise of discretion of this Court by enlarging the applicant on bail.

8. Accordingly, this bail application stands **rejected**. Trial Court is directed to expedite the trial and conclude the same without granting any unnecessary adjournments to any of the parties.

(Subhash Vidyarthi, J.)

Order Date :- 16.11.2023
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