

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 5530 of 2023

Applicant :- Ram Laut Singh And Another

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

Counsel for Applicant :- Dhyan Pal Singh, Ashok Kumar Yadava, Nitin Kumar Mishra, Sushil Kumar Verma, Vijay Kumar Dwivedi, Viksit Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Case called out amongst parity mentioned cases. None appears on behalf of the applicants.

Heard Sri Akhilesh Kumar Vyas, the learned A.G.A. for the State and perused the records with his assistance.

2. The instant application has been filed seeking release of the applicants on bail in Case Crime No.97 of 2023, under Sections 147, 148, 323, 307, 504, 506, 324, 34 I.P.C., registered at Police Station Kotwali Dehat, District Gonda.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 02.03.2023 against ten persons, including the applicant alleging that because of an old animosity the accused persons had attacked the informant's house and had assaulted the informant's father, uncles and aunt with iron rods, sticks, farsa and pistol.

4. In the affidavit filed in support of bail application it has been stated that the applicants are innocent, they have been falsely implicated in the present case and they have no criminal history. One of the co-accused persons Sani Singh has already been enlarged on bail by this court by means of an order dated 21.11.2023 passed in Criminal Misc. Bail Application No.5939 of 2023, after taking into consideration the fact that all the

persons had received some minor injuries in the incident.

5. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.

6. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the F.I.R. has been lodged against ten persons and 10-15 unknown persons and no specific role has been assigned to the applicants; that the applicants have no previous criminal history and they are languishing in jail since 04.03.2023, whereas a co-accused person has already been granted bail by this court and without making any observation, which may affect the merits of the case, I am of the view that the aforesaid facts are sufficient for making out a case for enlargement of the applicants on bail in the aforesaid crime.

7. Accordingly, this bail application stands **allowed**.

8. Let the **applicants-Ram Laut Singh & Ayushman Singh** 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 magistrate/court concerned, subject to following conditions:-

- (i) the applicants shall not tamper with the prosecution evidence;
- (ii) the applicants shall not pressurize the prosecution witnesses;
- (iii) the applicants shall appear on each and every date fixed by the trial court.

(Subhash Vidyarthi, J.)

Order Date :- 5.12.2023
Ram.