

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 832 of 2022

Applicant :- Sitapati Bagi @ Sitapati Ram

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

Counsel for Applicant :- Armendra Pratap Singh,Ram Kumar
Yadav

Counsel for Opposite Party :- G.A.,Ramakar Shukla

Hon'ble Subhash Vidyarthi,J.

1. Case called out. Nobody is present to press the application. Sri Pragya Nand Rai, the learned AGA is present and he has filed a counter affidavit which is taken on record.
2. The instant application has been filed seeking release of the applicants on bail in Case Crime No. 234 of 2021, under Sections 323, 504, 354 Kha, 509 IPC, Police Station Vikas Nagar, Lucknow.
3. The aforesaid case has been registered on the basis of an FIR lodged on 25.11.201 against three persons, including the applicant, by the applicant's daughter-in-law, alleging that when she had gone to live in the applicant's house on 20.11.2021, all the accused persons had beaten her up and torn away her cloths. Several other allegations have also been levelled in the FIR.
4. The applicant was granted interim anticipatory bail by means of the order dated 13.06.2022.
5. The informant has filed a counter affidavit opposing bail application and the State has also filed a counter affidavit.
6. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the informant is the daughter-in-law of the applicant; she merely stated that she had gone to live in the applicant's house on 20.11.2021 and she was beaten up and certain other offences were also committed against her but she has not stated anything in the FIR about her usual place of residence and about her husband; that the applicant is a 70 years old person having no criminal history and that the counter affidavit does not allege any misuse of condition of bail by the applicant, I am of the view that the interim order dated 13.06.2022 deserves to be made absolute.

7. In view of the aforesaid circumstances, the interim order dated 13.06.2022 is hereby made absolute and the application is ***allowed*** in terms of the aforesaid order.

Order Date :- 21.12.2023

Pradeep/-