

**Court No. - 16**

**Case :-** CRIMINAL MISC. BAIL APPLICATION No. - 6615 of 2023

**Applicant :-** Bhola Verma

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

**Counsel for Applicant :-** Rajnish Ojha, Praveen Kumar Tripathi

**Counsel for Opposite Party :-** G.A.

**Hon'ble Subhash Vidyarthi, J.**

1. Heard Sri Praveen Kumar Tripathi, the learned counsel for the applicant, Sri Anurag Verma, the learned A.G.A.-I 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.293 of 2022, under Sections 307, 504, 506 I.P.C., registered at Police Station Sangipur, District Prapgarh.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 25.10.2022 alleging that the applicant had assaulted the informant's brother at about 8.00 p.m. on 22.10.2022 with an iron rod.

4. In the affidavit filed in support of bail application it has been stated that the applicant is a 22 years old innocent person, he has been falsely implicated in the present case and he has no criminal history. The learned counsel for the applicant has submitted that not even a single witness has been examined till date.

5. The State has filed a counter affidavit. The learned A.G.A. has opposed the prayer for bail and has submitted that the injured has fully supported the F.I.R. allegations. The medico legal examination report of the victim mentions a lacerated

wound 8cm x 1.5cm on frontal area above left eyebrow, a contused swelling on left eye, a contused swelling on right arm, a contused swelling on right side chest, all of which can be related to use of an iron rod. It has further been stated that the victim's CT examination was done on 23.10.2022, which showed a comminuted fracture of frontal bone on left side extending into frontal sinus with haemosinus and overlying soft tissue swelling, fracture thin walls of maxillary sinus and ethmoidal sinus on left side with heamosinus and overlying soft tissue swelling, EDH of maximum thickness along frontal region on left side, mild to moderate pneumocranium noted, haemorrhagic contusions in bilateral frontal region. The victim remained admitted to a government hospital from 20.11.2022 to 27.10.2022 and thereafter he remained admitted to another hospital from 27.10.2022 to 30.10.2022. Another CT scan conducted on 07.11.2022 confirmed comminuted of drepressed fracture of left side frontal bone and linear non-displaced fracture of lateral wall of orbit and subdural heamotoma in left frontal region.

6. The learned A.G.A. has submitted that the iron rod has been recovered on the pointing out of the applicant.

7. Having considered the aforesaid facts and circumstances of the case and keeping in view the nature of allegations, material relied upon and the punishment that can be imposed in case of applicant's conviction the applicant does not deserve discretion of this court by enlarging him on bail.

8. The application for bail is accordingly **rejected**.

9. Keeping in view the fact that the applicant is languishing in jail since 06.11.2022 and not even a single witness has been examined till date, a direction is issued to the learned trial court

to proceed with the trial expeditiously, fix at least one date every week, not granting any unnecessary adjournment to any of the parties and decide the trial within a period of one year from the date a certified copy of this order is placed before the learned trial court.

**(Subhash Vidyarthi, J.)**

**Order Date :- 1.12.2023**  
Ram.