

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 15049 of 2021

Applicant :- Maniram @ Manni

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

Counsel for Applicant :- Akashdeep Shukla

Counsel for Opposite Party :- Govt. Advocate

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Akashdeep Shukla, learned counsel for the applicant, Sri Rakesh Kumar Singh, 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.128 of 2021, under Section 307 I.P.C., registered at Police Station Matea, District Bahraich.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 09.08.2021 alleging that when a police party had apprehended the applicant he had fired shot which hit on the bullet proof jacket worn by the Station House Officer. The police also fired a shot which hit the applicant in his right foot.
4. In the affidavit filed in support of bail application it has been stated that the applicant is innocent and he has been falsely implicated in the present case. In para 17 of the affidavit filed in support of the application for bail it has been stated that the applicant has a criminal history of 60 case, however, no further particulars of the applicant's criminal history has been given in the affidavit. A supplementary affidavit has been filed on behalf of the applicant stating that the applicant has been granted bail in all the cases.

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 only person who has received injury in the incident is the applicant himself and that the applicant is languishing in jail since 09.08.2021 and as per the statement made by the learned counsel for the applicant even charges have not been framed till date 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 applicant on bail in the aforesaid crime.

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

8. Let the **applicant-Maniram @ Manni** 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 applicant shall not tamper with the prosecution evidence;
- (ii) the applicant shall not pressurize the prosecution witnesses;
- (iii) the applicant shall appear on each and every date fixed by the trial court.

(Subhash Vidyarthi, J.)

Order Date :- 29.11.2023
Ram.