

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 8468 of 2023

Applicant :- Praveen Kumar

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

Counsel for Applicant :- Fakhruddin Ali Ahmad

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Fakhruddin Ali Ahmad, the learned counsel for the applicant, Sri Arpit Kumar, the learned AGA 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. 549 of 2022, under Section 307 IPC, Police Station Kotwali Bikapur, District Ayodhya.

3. The aforesaid case has been registered on the basis of an FIR lodged on 28.12.2022 against the applicant and one Firoz, alleging that on the basis of information received from a mukhbir, the accused persons were apprehended and while trying to escape, they fired two shots with intention to kill the police party but nobody received any injury in the incident.

4. The applicant's involvement in nine other cases has been disclosed in the affidavit filed in support of the bail application, in nine of which he has already been granted bail and his involvement in three other cases has been disclosed in the affidavit. It has also been submitted on behalf of the applicant that the co-accused Firoz has already been enlarged on bail by this court by means of an order dated 12.09.2023, passed in Criminal Misc. Bail Application No.5290 of 2023.

5. The learned A.G.A. has opposed the prayer for bail but she could not dispute the aforesaid facts.

6. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the accused persons are said to have fired two gun shots but nobody has received any injury in the incident and the co-accused has already been granted bail and the applicant is languishing in jail since 28.12.2022, 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 **applicant-Praveen Kumar** be released on bail in Case Crime No. 549 of 2022, under Section 307 IPC, Police Station Kotwali Bikapur, District Ayodhya 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.

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(Subhash Vidyarthi, J.)

Order Date :- 13.12.2023

Ram.