

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 2490 of 2023

Applicant :- Alok Yadav @ Alok

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

Counsel for Applicant :- Neera Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Ms. Neera Yadav, the learned counsel for the applicant as well as Sri Rakesh Kumar Singh, the learned Additional Government Advocate appearing on behalf of the State and perused the records.

2. The instant application has been filed by the applicant seeking anticipatory bail in F.I.R. bearing Case Crime No. 219 of 2022, under Sections 147, 148, 149, 307, 352, 504, 506, 201 IPC, Police Station Inayat Nagar, District Faizabad/Ayodhya.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged at 12:49 hours on 23.05.2022 against nine persons, including the applicant, alleging that the accused persons had attacked the informant at about 08:30 p.m. on 22.05.2022 and the applicant had fired shots with a country made pistol and other persons had assaulted him with iron rod and sticks. However, the informant did not receive any injury in the incident.

An FIR of the same incident was lodged from the side of the applicant also.

4. In the affidavit filed in support of the application it has been contended that the applicant is innocent and he has falsely been implicated in the present case.

The applicant's involvement in Case Crime No. 616 of 2020, under Section 380 IPC, Police Station Inayat Nagar, District Ayodhya has been disclosed by filing a supplementary affidavit in which the applicant has been bailed out.

Co-accused Ram Sajan has been granted bail by means of an order dated 23.05.2023 passed by this Court in Criminal Misc Anticipatory Bail Application No. 1218 of 2023.

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

7. Having considered the aforesaid facts and circumstances of the case, I am of the view that the aforesaid facts are sufficient for making out a case for granting anticipatory bail to the applicant during pendency of the trial.

8. In view of the above, the anticipatory bail application of the applicant is **allowed**. In the event of arrest/ appearance of applicant-**Alok Yadav @ Alok** before the learned Trial Court in the aforesaid case crime, he shall be released on anticipatory bail during pendency of the trial on his furnishing personal bond and two solvent sureties, each in the like amount, to the satisfaction of S.H.O./Court concerned on the following conditions and subject to any other conditions that may be fixed by the Trial Court:

(i). That the applicant shall appear before the trial court on each date fixed, unless personal presence is exempted;

(ii). That the applicant shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence;

(iii). That the applicant shall not pressurize/ intimidate the prosecution witness.

Order Date :- 8.11.2023

Pradeep/-